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Official Records

President: Mr. Gurirab (Namibia)

In the absence of the President, Mr. Mbanefo (Nigeria), Vice-President, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 20 (continued)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Report of the Secretary-General (A/54/619)

- (a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Report of the Secretary-General (A/54/154 and Add.1)

Draft resolution (A/54/L.17/Rev.1)

- (b) Special economic assistance to individual countries or regions

Reports of the Secretary-General (A/54/129/Rev.1, A/54/130/Rev.1, A/54/153, A/54/278, A/54/294, A/54/295, A/54/296, A/54/350, A/54/421, A/54/462, A/54/534)

Draft resolution (A/54/L.29)

- (c) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

Report of the Secretary-General (A/54/449)

Draft resolution (A/54/L.22)

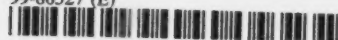
- (d) Participation of volunteers, "White Helmets", in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development

Report of the Secretary-General (A/54/217)

- (e) Assistance to the Palestinian people

Report of the Secretary-General (A/54/134)

Mr. Ismoilov (Tajikistan) (*spoke in Russian*): The delegation of Tajikistan believes that the report of the Secretary-General on the strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, contained in document A/54/154, provides a good analysis of the successes and problems of United Nations activities in this area. The report's emphasis on the timely and well-planned implementation of at least some elements of rehabilitation, reconstruction and development activities, even during conflict, is of particular significance to our country, in view of the fact that an early beginning of reconstruction and development



activities in a post-conflict environment can help supplement and strengthen political stability and the implementation of peace agreements. The peace process in Tajikistan needs active support from the international community now more than ever both in the humanitarian field and in the long-term context of restoring and developing by the economy.

We fully agree with the appraisal and conclusions given in the Secretary-General's report entitled "Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan", contained in document A/54/294.

In spite of progress in the peace process, in the enactment of economic reforms and in the security situation in our country, hundreds of thousands of Tajiks continue to require international humanitarian assistance in order to meet their basic needs. We are deeply grateful to our friends, including countries, international organizations and particularly specialized agencies of the United Nations, for lending assistance to the people of Tajikistan.

As is rightly pointed out in the Secretary-General's report, despite the significance of humanitarian operations to promote and ensure peace and stability, the donor response to the consolidated inter-agency appeals for Tajikistan in 1998 and 1999 was not as encouraging as it might have been; however, we note with satisfaction the increase in the response of the humanitarian community to the 1999 appeal.

Insufficient funding in response to humanitarian appeals is one of the major factors limiting United Nations capabilities in lending humanitarian assistance, and this problem, unfortunately, is inherent in many United Nations humanitarian operations. We agree with the Secretary-General's special concern over the lack of support for assistance programmes providing foodstuffs and medical supplies designed to save people's lives. The implementation of those programmes requires that we ensure immediate financing so as to avoid an aggravation of the already difficult social situation in Tajikistan. In this respect, we support the United Nations intention to hold an evaluation of humanitarian assistance in the year 2000, with a view to solving the problems of long-term development. As long as the economy is not able to support the entire population of Tajikistan, and as long as the peace process is not completed, humanitarian operations will remain an important factor for ensuring stability in Tajikistan, as emphasized in the Secretary-General's report.

We highly value the work done by the Office for the Coordination of Humanitarian Affairs. We support the activities of the Inter-Agency Standing Committee; useful recommendations have been elaborated within its framework to improve United Nations humanitarian activities.

An important and useful discussion on various aspects of United Nations humanitarian assistance took place at the Economic and Social Council's summer session. The agreed conclusions of the humanitarian segment adopted by the Economic and Social Council are an important document, providing guidelines to institutions and bodies of the United Nations system acting within the framework of the Inter-Agency Standing Committee for the further improvement and coordination of emergency humanitarian assistance, in particular in such a complex and important issue as emergency assistance for restoration, rehabilitation, reconstruction and development in times of natural disasters and in complex emergency situations. This, as is well known, especially applies to Tajikistan.

In recent years, we have witnessed an increase in the number of large-scale natural disasters, including hurricanes Mitch and Georges; earthquakes in Afghanistan, Colombia, Turkey, Greece and Taiwan; flooding in Bangladesh, India, China and Nepal; and forest fires in Brazil, Indonesia and Russia. There was a significant increase in both loss of human life and material loss for the year 1998 alone as a result of natural disasters: more than 50,000 people died, and the economic damage amounted to approximately \$100 billion.

We highly value the United Nations system's activities in coordinating the reduction of natural disasters. In this connection, we believe it appropriate to make greater use of the Central Emergency Revolving Fund's resources for activities pertaining to natural disasters and technological catastrophes. Tajikistan is in an area of a potential large-scale environmental disaster if the dam holding back Lake Sarez were to collapse. As a result, not only Tajikistan but also Uzbekistan, Turkmenistan and Afghanistan would find themselves faced with irreparable catastrophe. We note with satisfaction that the leadership of the United Nations Secretariat, in particular the Under-Secretary-General for Humanitarian Affairs, is showing due consideration for this problem and an interest in cooperation with Tajikistan in warding off this threat.

We highly value United Nations efforts in lending humanitarian assistance to all countries, without exception, because of needs that might arise as a result of complex emergency situations, natural disasters or technological catastrophes. We believe it important to continue United Nations activities to mobilize assistance and eliminate the consequences of the Chernobyl disaster in Belarus, Russia and Ukraine. Although 13 years have already passed since the Chernobyl disaster, its consequences continue to be felt just as sorely, since, objectively, they are of a long-term nature. With the current difficult financial situation, we believe it important to seek non-traditional ways to carry out United Nations projects and programmes, in particular in lending emergency and rehabilitation assistance. In this context, we support the Argentine "White Helmets" initiative, which provides for the use of national volunteer corps in international operations to lend assistance in emergency situations.

We value the efforts of the international community in lending humanitarian assistance to the suffering people of Afghanistan, without any discrimination whatsoever. We believe, however, that such assistance must be linked to the readiness of the parties in Afghanistan to seek a political solution to the conflict, to ensure safe conditions for the activities of international organizations in Afghanistan and to take measures to combat illegal drug trafficking and terrorism.

At this session, the delegation of Tajikistan has once again submitted to the General Assembly a draft resolution on emergency international assistance for peace, normalcy and rehabilitation in Tajikistan. We are deeply grateful to those countries that have become sponsors of the draft resolution, and we are counting on the support of all Member States in view of the significance for the international community of normalcy and rehabilitation in Tajikistan.

Mr. Semakula Kiwanuka (Uganda): We are meeting at a time when the need to strengthen the capacity of the United Nations for the coordination of humanitarian and disaster relief assistance has never been greater. The recent catastrophic earthquakes in Turkey, Greece and Taiwan, *inter alia*, have once again pointed to the immense need for emergency humanitarian assistance. In 1998 alone, natural disasters in Asia, Latin America, Africa and the Caribbean caused economic losses which amounted to over \$90 billion. A year before, in 1997, natural disasters such as hurricanes, floods caused by El Niño, forest fires, famines, and so forth, cost at least \$30 billion. Indeed, the decade of the 1990s has witnessed a phenomenal increase in

devastation, death and human suffering, which, according to the Secretary-General's report on the work of the Organization submitted this year, have been estimated at \$479 billion.

But while these natural disasters and emergencies are on the increase, resources to strengthen the capacity of the United Nations for aid and relief are on the decline. The Uganda delegation is concerned not only by the increasing scale of natural disasters, but also by the increase in the insecurity of humanitarian personnel. We therefore welcome the Secretary-General's report on the protection of civilians in armed conflict and the recommendations made therein. We urge the Governments concerned, which, under international law, bear the prime responsibility to provide security for the humanitarian personnel who dedicate their lives to the good of the people and to protecting them.

The time has come to emphasize prevention because some disasters are preventable, among them conflicts which have led to incalculable loss of life and massive numbers of refugees and internally displaced persons. States must address the root causes of these man-made disasters. We refer to the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa, which is still a landmark document.

Uganda commends the assistance of the United Nations as well as that of Africa's development partners in addressing the root causes of conflicts in Africa — in Sierra Leone, in Guinea-Bissau and in the Democratic Republic of the Congo among others. But, at the same time, we cannot fail to express our deep concern that many of Africa's humanitarian disasters — in Angola, the Sudan and Somalia for example — no longer attract worldwide attention. The United Nations humanitarian agencies recently launched a worldwide appeal for more than \$199 million to finance emergency assistance programmes in East Timor; but Africans feel totally forgotten despite the calamities of refugees and internally displaced persons. It is not only conflicts that have caused disaster but also environmental degradation, lack of rain, poor harvests, shortages of pasture and water. Environmental degradation has resulted in worsening situations leading to massive desert encroachment in Africa, the continent most affected by desertification. This month, 159 member countries of the United Nations Convention to Combat Desertification are meeting in Recife, Brazil, to address this very problem, which affects 110 countries and the livelihoods of 250 million

people, and also puts a billion people at risk. The United Nations Environment Programme has estimated that desertification costs the world \$42 billion a year in lost productivity, of which \$9 billion involves Africa. Uganda is convinced that desertification and other disasters resulting from environmental degradation can be halted through concerted international assistance to those countries that are severely affected.

To strengthen United Nations efforts in the coordination of humanitarian and disaster relief assistance, resources must be forthcoming. Uganda joins others in calling upon all organizations in the United Nations system, as well as other relevant international organizations, non-governmental organizations and Governments, to give support to the Secretary-General and to cooperate with him to cope with these emergencies.

Mr. Mohamed (Sudan) (*spoke in Arabic*): My delegation attaches particular importance to the crucial problem of humanitarian assistance, now under discussion in the Assembly and to the role played by organizations and specialized agencies in this context.

We are convinced that the world Organization is the primary body responsible not only for the maintenance of international peace and security, but also for humanitarian assistance and for economic and social development, as set out in the Charter. For this reason, we would like to share with the Assembly some of our thoughts on humanitarian assistance.

My delegation has considered the report of the Secretary-General, contained in document A/54/154, on the coordination of humanitarian assistance provided by the United Nations in emergencies, and document A/54/295 on emergency assistance provided by the Organization and its partners to the Sudan. We thank the Secretary-General and the specialized agencies for the work invested in the preparation of these two reports.

The Sudan has faith in the ability of the international community to provide assistance and in the positive interaction between our country and the rest of the international community. This is why we supported Operation Lifeline in 1989 in order to meet the needs of our citizens, because we are convinced the international community can play an active role in cases of famine, war and displacement. Operation Lifeline plays a very important role in developing humanitarian policies, policies for the settlement of conflicts and policies for the reconstruction of the country. Operation Lifeline's

fundamental merit lies in the fact that it has established solid, continuous and renewable cooperation between the Sudan on the one hand, and non-governmental and intergovernmental organizations and specialized agencies of the United Nations, on the other.

The Sudan is anxious to ensure delivery of humanitarian assistance without hindrance so that aid can reach its target, that is, its recipients. Therefore, we cooperate fully with the organizations responsible for monitoring respect for human rights, settlement of disputes, crisis management, prevention of natural disasters, early warning systems and mine clearance.

The Sudan strives to provide for the freedom of movement of humanitarian agencies, particularly in the areas under rebel control. We also cooperate in the investigations and research required to gauge the needs of the population. Some regular visits to the southern parts of Sudan have been made by the United Nations Children's Fund, the World Food Programme, the Red Cross and by other non-governmental organizations with a view to determining those needs.

The Sudan is anxious to respect its commitments because of its religious duty and its noble traditions. I should like to make the following points: first, the number of aircraft devoted to the delivery of humanitarian assistance has risen from 4 to 20. Secondly, a unit responsible for coordinating the activities of all humanitarian agencies has been established. Thirdly, my Government has announced more than once that it is ready to comply with the ceasefire, and we now call on the international community to assist in exerting pressure on the rebel movement in order to establish a full and comprehensive ceasefire. Fourthly, despite enormous economic difficulties, the Government has refitted two airport facilities for the provision of humanitarian assistance. Fifthly, we also signed a security protocol with the rebel movement in Rome in November 1998, and also in Oslo in May 1999, with a view to opening land routes and providing unhindered delivery.

Operation Lifeline Sudan, to which we have referred, has various gaps and shortcomings that require common efforts on our part.

The tendency of western donor States to reserve the bulk of their assistance for areas close to their own regions and geographical boundaries has had a serious impact on Africa's prosperity. Crises in Africa have

indeed multiplied, and there is a large and increasing number of humanitarian emergencies on the continent.

Another negative phenomenon is earmarking assistance for certain purposes without taking into account the emergency priorities established by agencies in the context of Operation Lifeline. Some non-governmental organizations outside this framework receive more substantial assistance from the United Nations than those agencies involved in Operation Lifeline itself.

The principles of Operation Lifeline Sudan highlight the need for strengthening Sudanese national institutions and involving them in all areas of activity. In this connection, foreign organizations must be registered in order that they may be brought under the umbrella of Sudanese law and culture. Operation Lifeline Sudan has been operating for over 10 years, and it is plain that much has not been implemented.

We would like to see a review of the operations of the programme. A bilateral working group operating under the mandate of the United Nations does exist. This group has noted that it is wrong to bring in assistance from outside the country by air alone and that it would be more effective and efficient to use land, water or railway transportation to deliver emergency humanitarian supplies.

The Sudanese Government calls for well-coordinated cooperation with the United Nations so as to implement the consolidated appeal.

Paragraph 94 of the report of the Secretary-General contained in document A/54/295 attributes the continuing disaster to a partial ban on flights in a certain area. In fact, it was the activities of rebels in that area that were responsible for the plundering of humanitarian supplies and the killing of personnel that gave rise to the problem. We call on everyone involved not to permit such activities to continue. There must be comprehensive cooperation in the humanitarian sphere.

We note that as the international community is making sure to protect humanitarian workers, four Sudanese citizens working for the Red Cross were killed by the rebels in March 1999. The rebel movement continues to refuse to hand over the remains of the murdered, despite repeated pleas from the international community. The rebel group took prisoner 13 humanitarian staff members of an international charity organization working for the development of Sudan's sub-Saharan region. Unfortunately, the United Nations and the international community have

made no effort to obtain the release of these detained persons. The Sudanese Government would like to appeal from this rostrum to the international community to condemn the rebel group and the acts of detention and murder that they have committed, in accordance with the relevant resolutions of the General Assembly.

Paragraph 25 of the Secretary-General's report refers to the distribution of foodstuffs in the northern and southern sectors. As we see it, the southern sector receives more aid than the northern sector. In paragraphs 8 and 42 the Secretary-General says that about 45 to 50 per cent of humanitarian assistance does not reach its intended targets in the rebel-controlled areas in the south due to the taxes imposed on relief materials. We feel that there is a need to control the situation more efficiently in the context of Operation Lifeline Sudan. We would like to see the international community condemn these practices that impede the delivery of humanitarian assistance.

We cannot but reaffirm what the Secretary-General has said about the cooperation of the Sudanese Government. We are striving to carry out the necessary surveys to identify the needs of the population. Those surveys are being carried out by a specialized inter-agency committee. In response to an appeal by the Secretary-General, in May 1999 the Sudanese Government allowed reconnaissance surveys to be carried out in mountainous areas of the country. A working group prepared a report that addressed accusations of famine and ethnic cleansing among the families living in that area. Those allegations were proven wrong.

We appeal to the international community to contribute to a health and education programme that will make it possible to eliminate poverty to a large extent. We ask that contributors be as generous as possible.

In conclusion, I wish to say that the cooperation between our Government and the international community illustrates how much we desire to resolve the problems of natural disasters and humanitarian emergencies. However, forced intervention is something that contravenes the spirit of humanitarian assistance. That assistance should always be provided in the context of respect for the independence, sovereignty and territorial integrity of a State and according to the terms of the United Nations Charter.

Finally, I would once again like to extend my thanks to this international Organization. We hope that its

activities will make it possible for us to overcome our crises by eliminating their causes and through peaceful means.

Mr. Shami (Pakistan): I would like to thank the Secretary-General for the reports presented under item 20. We associate ourselves with the statement made on this agenda item by the representative of Guyana on behalf of the Group of 77 and China.

The coordination of humanitarian and disaster relief assistance is one of the critical functions carried out by the United Nations. Over the last decade, United Nations activities in this field have increased manyfold. Yet the United Nations lags far behind in meeting the ever-increasing demand for effective relief operations. To meet these challenges, the United Nations system, particularly the Office for the Coordination of Humanitarian Affairs, has been making efforts to improve its ability to respond effectively to humanitarian crises. We appreciate these endeavours.

It is, however, generally believed that any effective response to a humanitarian crisis, be it of large or small proportions, requires the following key ingredients: first, timeliness; secondly, effective central coordination; thirdly, adequate funding; and, last but not least, the ability to address the root causes of the crisis.

The entire debate that culminated in the adoption of resolution 46/182 revolved around the critical importance of coordination of the activities of the United Nations system in an emergency situation in order to respond in a timely manner to the immediate needs of the affected people. While over the past eight years the United Nations has attempted to develop its capabilities to respond to emergencies effectively, in many situations its response came too late. For the victims of humanitarian disasters, relief delayed is relief denied. The United Nations system should undertake measures to reduce its response time. We support the Secretary-General's call for an increased focus on early warning and preparedness measures. Adequate resources should be made available to support the United Nations initiatives to improve its early warning mechanisms.

Coordination holds the key to the effectiveness of a timely response. However, the multitude of actors, the overlapping mandates and competing demands for limited resources exacerbate the difficulties faced by the United Nations system in the field of coordination. We believe that the humanitarian affairs segment of the Economic and

Social Council has provided us with an effective intergovernmental forum to address these questions. The Council can and should provide guidelines on the coordination of humanitarian assistance.

Humanitarian assistance, no matter how well coordinated, is of little consequence if not backed by commensurate resources to mitigate the severe impacts of disasters. The lack of funding is a major constraint on United Nations humanitarian response. We note with concern that the United Nations difficulties in responding to humanitarian situations have been compounded by uneven levels of funding to the consolidated appeals. The selective responses were largely determined by geographical, political and sectoral considerations.

Pakistan strongly emphasizes that the basic principle of humanitarian action is that relief is provided irrespective of political and other considerations. We must make every effort to ensure that this principle is not undermined. Response to international appeals must be commensurate with needs and not determined by the quantum of media coverage and political considerations. The human dimension must be the determining factor in providing assistance.

In our increasingly interdependent world, we cannot ignore the sufferings of humanity in any part of the world. In 1998 alone over 50,000 people worldwide died as a result of natural calamities; for 1999 that number is even higher. Millions more were left homeless, and estimated economic losses reached \$90 billion. Dealing with this scale of devastation in a timely and effective manner is a formidable challenge for the international community. It is obvious from the magnitude of the problem that the United Nations limited capacity in this area needs to be developed further.

We are also pleased to learn that international aid agencies increasingly recognize the need for a comprehensive approach to humanitarian crises. My delegation has long held the view that a successful relief programme is one that paves the way for development. Financing has a crucial role to play in this regard. We support the Secretary-General's recommendation that funds for reconstruction should be made available sooner and through less onerous procedures. The relief-to-development continuum must run smoothly and without unnecessary disruption.

The Secretary-General, in an addendum to his report, has drawn attention to the attacks on humanitarian

personnel. United Nations staff members are vulnerable in all emergency situations, whether these are man-made or the result of natural disasters. Some have even lost their lives. We believe the safety and security of United Nations humanitarian personnel is an extremely important issue. In the past, our own countrymen serving under United Nations auspices have been attacked and killed. We commend United Nations humanitarian and peacekeeping personnel, wherever they serve. It is essential that these humanitarian personnel be allowed to discharge their duties effectively and safely.

Never before in the history of mankind have we had this level of resources and sophisticated technologies to deal with humanitarian disasters. It would be unfortunate if the international community failed to undertake concerted action to respond to all humanitarian emergencies.

To conclude, we believe that while strands of commonality exist, every humanitarian emergency is unique. The United Nations strength must lie in its ability to effectively react to each crisis in a flexible and timely manner.

Mr. Jacob (Israel): Those who view the peace process in terms of one-dimensional political negotiations are mistaken. Israeli Governments, since the launch of the peace process, have attached special importance to the economic dimension of peacemaking in general and to the economic aspects of the Palestinian track of the peace process in particular.

The Government of Israel views the improvement of the Palestinian economic situation as a strategic objective, and it views the international community as a central means to accomplish this aim. Israel, for its part, has openly demonstrated its readiness to make the necessary sacrifices in order to advance economic relations with the Palestinian Authority and the well-being of the Palestinian people.

Over the past five years, significant improvement has taken place in the Palestinian economy. The positive trend in employment and private-sector activity was detailed in the latest report submitted by the United Nations Special Coordinator in the territories in September of this year. Among other trends, the report notes that in 1998 the Palestinian gross national product grew by 8 per cent. This was accompanied by a decrease this year of 13 per cent in the Palestinian unemployment rate. The United Nations Special Coordinator's report also highlights the growth of real wages by 2.5 per cent, the growth of credit extended to Palestinian businesses by 16 per cent, and a rise in the

registration of new companies by a whopping 35 per cent.

We have come to the definite conclusion that those periods in which there was a calm security situation also saw growth in the Palestinian economy. A consistent and determined effort by the Palestinian Authority to fight terrorism and its infrastructure makes it easier for Israel and other parties to continue in their efforts to improve the Palestinian economic situation. A most striking example of this is the significant drop in security closures of the West Bank and Gaza, which had usually been employed in the wake of terrorist attacks or threats of imminent attack. While there were 92 closure days in 1996 and 63 in 1997, there were only about 25 in 1998 and only five so far in 1999 — and most of those were simply due to holidays, when most places of employment in Israel are closed.

Yet beyond its effort to reduce security closures to an absolute minimum, Israel has undertaken a number of proactive initiatives in order to strengthen the Palestinian economy.

First, the Government of Israel has continued its policy of easing access for Palestinian workers to the Israeli labour market. In 1997 the number of Palestinians working in Israel stood at 47,000, and in 1998 it grew to 60,000. Today, around 70,000 Palestinians commute daily to regular jobs within Israel, while an estimated additional 50,000 to 60,000 work in Israel without having the requisite work permit. This growth has led to a significant drop in unemployment in the Palestinian Authority areas and to a rise in productivity. Today, income from employment within Israel constitutes a very significant share of the overall income of the Palestinian labour force, amounting to 43 per cent for the West Bank and 33 per cent for Gaza. The growth in the number of Palestinians working in Israel may be attributed to a number of steps taken by Israel, some with the cooperation of the Palestinian Authority. These steps include the elimination of quotas for Palestinian employees entering Israel, the lowering of the minimum age limit for such employees to 21, an overnight stay programme reducing the need to commute, a continuous employment programme allowing most workers access to jobs even during the now rare closures, labour exchanges to promote employment, and flexible hours to allow for working in shifts. These and other steps are detailed in a full version of this statement, which will be made available to delegations.

Secondly, we are working to strengthen the Palestinian private sector, in recognition of that sector's central role in the future growth of the Palestinian economy as a whole. In this regard, Israel is encouraging investment in Palestinian enterprises and is making a determined effort to resolve the problem concerning the movement of people and goods, among other things, by easing the movement of Palestinian businesspersons between Israel and the Palestinian Authority areas. Commercial vehicle traffic has also been significantly expanded.

Thirdly, Israel has transferred to the Palestinian Authority, to date, tax revenues amounting to \$2 billion, in accordance with the Paris economic annex to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip. This sum represents about 60 per cent of the Palestinian Authority budget.

Fourthly, Israel allocated \$75 million between 1993 and 1998 as assistance to the Palestinian Authority and for joint projects. In addition, Israel made a commitment at the donors conference in Washington to allocate a further \$15 million in assistance to the Palestinians.

Fifthly, an issue of considerable importance in our economic relations with the Palestinian Authority is the industrial parks project. The first such park, the Gaza Industrial Estate, was inaugurated in March 1999, and today about 1,000 workers are employed there. When the project is fully operational, it is expected to provide up to 50,000 jobs. Plans have been laid for an additional industrial park in the Jenin region, to be established with the assistance of the German Government. The Government of Israel is very interested in promoting Israeli investment in these industrial parks, and to that end it has extended \$50 million in risk insurance to investors. Israel is also providing infrastructure hook-up for the Gaza Industrial Estate and a state-of-the-art cargo terminal to be operated by the Israel Ports Authority.

Sixthly, in a few weeks' time, we will all be marking the beginning of the year 2000, and there are few places more suitable to observe this historic occasion than in Nazareth, Jerusalem and Bethlehem. We are gratified that we can together welcome this new millennium now, after we have travelled so far towards bringing peace to the Holy Land. As we mentioned last week in the Assembly's discussion of the Bethlehem 2000 celebrations, Israel and the Palestinian Authority expect to host millions of tourists and pilgrims in our area in the coming months. Israel has already made intensive preparations and has invested immense resources in preparing for the celebrations, but it

must be remembered that this is an enormous project, and only cooperation between Israel and our Palestinian neighbours will ensure its success.

And finally, the great importance attached by Israel to the movement of goods and individuals is expressed also in two central projects referred to in the recently concluded Sharm el-Sheikh Memorandum: the safe passage and the Gaza port. The safe passage, inaugurated last month, will over time enable the free flow of goods, labour and capital between the West Bank and Gaza. As of last week, about 10,500 round-trip passes had been issued by Israel and the Palestinian Authority, and the passage has been well utilized. The Gaza port will reinforce a sense of economic independence for the Palestinians, while the construction work on the port provides local employment for scores of Palestinian labourers and professionals. Those two projects, together with the Gaza International Airport which was inaugurated after the signing of the Wye River Memorandum, will most certainly promote the continued strengthening of the Palestinian economy.

Allow me to turn now to the subject of Israeli-Palestinian development cooperation. Over the past 41 years, Israel, through the Centre for International Cooperation of its Ministry of Foreign Affairs (MASHAV), has been assisting developing countries throughout the world. This clearly reflects both our national experience and our humanitarian values. Within that framework, however, it is only natural that we should place emphasis on promoting Israeli cooperation with our Palestinian neighbours.

The underlying principle guiding Israel's technical development cooperation programme with the Palestinians stems from the belief that peace will be secured only when it takes root in the everyday lives of the peoples in the region. The ongoing development dialogue established between Israel and Palestinian professionals and the positive results achieved at the grass-roots level attest to the willingness of both peoples to strive together, in dignity, towards the common goal of peaceful cooperation, through programmes dealing with economic growth, health care, community services, overcoming gender-based constraints, food security, water management and good governance.

Advancing human-enrichment and capacity-building programmes in collaboration with the Palestinian Authority has therefore been given highest priority on Israel's development agenda. Regarding human-

enrichment programmes, in 1998, fellowships were awarded to 820 Palestinian professionals, enabling their participation in various professional training courses held both in Israel and in the areas administered by the Palestinian Authority. For the past three years, Palestinian professionals have constituted the largest contingent of participants in MASHAV courses in Israel.

In the realm of agricultural cooperation, the Palestinian Ministry of Agriculture and MASHAV collaborated for the first time to produce a one-year professional agriculture development training programme, which is being implemented in Israel and the Palestinian Authority areas this year. The programme, designed to meet needs presented by the Palestinians themselves, includes the participation of Palestinian and Israeli lecturers and experts. Six of the programme's eight courses have already been carried out.

The establishment of on-site project-demonstration farms, accompanied by long- and short-term consultancies, is also a significant element in fostering economic growth. Israel and the Palestinian Authority have agreed to cooperate on the implementation of the various projects geared to promote higher-quality yields for domestic and export markets.

The main objectives of any successful sustainable development programme include institutional capacity-building and support for indigenous non-governmental organizations. Two examples of such programming in Israeli-Palestinian development cooperation are a joint substance abuse project and support for Palestinian health-care non-governmental organizations. During 1998, MASHAV initiated a cooperative project on substance abuse and sponsored two professional training courses at Beersheba and Al-Quds Universities, while allocating funds towards the purchase of necessary equipment and materials needed to facilitate the operation of the first Palestinian drug abuse resource centre in Gaza.

Also, for the past several years, MASHAV has been working with an Israeli non-governmental organization, the Economic Cooperation Foundation, and Palestinian non-governmental organizations on a wide range of people-to-people health-related programmes.

In the field of trauma care, together with the Palestinian Council of Health, an non-governmental organization, and the Palestinian Red Crescent Society, training programmes were implemented at Jerusalem's Hadassah hospital for the first cadres of Palestinian trauma

experts. These courses have led to improved formal and informal contacts between the Palestinian Red Crescent Society's emergency care workers, emergency room workers in the West Bank and Gaza and the trauma unit staff of Hadassah hospital.

In the realm of primary health care, the "North to North" programme provides professional training programmes for rural Palestinian Red Crescent Society health care workers from clinics in the northern West Bank, internships for the clinic staff at Israeli-based "Mother and Child" centres in the northern Israeli cities of Nazareth and Acre and management training over a three-year period. Today, the project is in its final stage, the training of clinic directors.

In the field of rehabilitation, professional training programmes were developed in 1998 to bring together Israeli and Palestinian rehabilitation institutes. The participants included Israel's Sheba Medical Centre in Ramat Gan, the Arab Rehabilitation Society in Beit Jalla, the Society for Physically Handicapped People of Gaza and the El Wafa Rehabilitation Centre.

Another crucial component in development programming is the coordination among donor countries operating in the area. In addition to programmes sponsored in collaboration with the United States Agency for International Development, MASHAV has been working together for the last 25 years with the Government of the Netherlands on human capacity-building programmes. Israel is constantly searching for partnerships in trilateral and multilateral programme implementation for the benefit of all peoples in the region.

Examples of such programmes include a professional training course at Hadassah Medical Centre for Ramallah hospital staff members, with the cooperation of the United Kingdom; a programme for cooperation in the field of epidemiology, with the cooperation of Belgium; a three-year regional agricultural programme promoting professional agricultural training programmes, with the cooperation of Denmark; a regional symposium held in Israel in March 1999 on management of soil and water resources in arid and semi-arid areas, with the cooperation of Sweden; a two-year training programme for employees of the Palestinian Authority Ministry of Labour on the subject of safety and hygiene in the workplace, also with Swedish cooperation; and about a dozen joint academic research projects

incorporating Israeli and Palestinian universities as part of the ongoing cooperation with the Netherlands.

The Government of Israel welcomes such regional programming, which embodies full partnership, equality among all participants and the exchange of ideas and information. Israel recognizes the important role played by the United Nations Development Programme's programme for assistance to the Palestinian people, which has included the coordination of the investment of over \$300 million in the Palestinian economy and Palestinian society over the past two decades. This investment has helped build not only the backbone of capital assistance — infrastructure such as schools, hospitals, piped water, sewage treatment and electrification — but also the sinew of individual and institutional development — the technical and administrative capacity needed to manage human and natural resources.

The burgeoning Israeli-Palestinian peace process and the agreements signed between the two parties have brought with them a rapid expansion of development activities as donor support for the newly established Palestinian Authority has come to be seen as an investment in the success of peace.

Opportunities for joint Palestinian-Israeli development cooperation in the Middle East region are endless, and there is no limit to what we might achieve in the twenty-first century. Since the beginning of MASHAV programming in cooperation with the Palestinian Authority, it is truly remarkable how much we have learned from one another. Israelis and Palestinians have worked side by side to advance human development programming in such areas as micro-enterprises, primary health care, efficient use and management of water, reducing gender biases, environmental conservation, community-based leadership, food security and more.

However, opening new avenues for development cooperation and implementing the myriad priority programmes of the Palestinian agenda cannot be achieved without the assistance of all parties committed to the peace process. Israel looks forward to strengthening professional ties with the Palestinian people as a further expression of our sincere desire for and commitment to regional prosperity, stability, and a life based on human dignity for all.

Mr. Stanislaus (Grenada): My delegation begins by thanking, complimenting and praising the Secretary-

General for his comprehensive, expressive and thought-provoking report.

The Assembly will, I hope, pardon me for speaking somewhat hurriedly, but sincerely, with respect to the natural disaster visited upon Carriacou and Petit Martinique in my country, the State of Grenada, along with Saint Lucia, Saint Vincent, Antigua and Barbuda, Saint Kitts and Nevis, Anguilla, Saint Martin, the Virgin Islands and others, by the unusually late arrival of hurricane Lenny, still drifting in the Caribbean like a sword of Damocles hanging over the Achilles heel of helpless small island developing States.

This hurricane is unusual not only for its lateness and ferocious winds, but also because it spreads its force selectively and has caused sea level rise and huge, mountainous waves that have completely destroyed the coastal area in my country and others, where the population is concentrated. Some roads are damaged and destroyed, making transportation impossible. Some homes and businesses have been washed away by the sea, while others have collapsed and been left beyond repair. The fishing fleet of small and medium-sized vessels upon which much of the economy is dependent has been damaged or destroyed. Much of the same kind of disaster has been visited upon the other islands. Thank God that few lives have been lost because of early warning systems now in use.

The phenomenon of global warming and the accompanying sea-level rise seem more and more to be a force in nature with which we must contend seriously in the twenty-first century. This phenomenon is man-made and can be assuaged, unlike the natural disasters such as hurricanes, volcanoes, earthquakes, cyclones, typhoons and so forth. The world experiences enough of these natural disasters and does not need the man-made kind.

Nature in its benevolence dispenses wondrous blessings according to its inimitable laws, but those who challenge nature do so at their own risk, and this is at best perilous, and at worst, disastrous.

Let me conclude by expressing the hope that members of the international community, in the spirit of humanity expressed in agenda item 20, will find it appropriate and expedient to come to the assistance of small island developing States in their time of trial and tribulation, remembering that we must not allow our technology to out-distance our humanity.

The President: In accordance with the decision taken by the Assembly at the 58th plenary meeting, I now call on the Permanent Observer of Switzerland.

Mr. Staehelin (Switzerland) (*spoke in French*): Allow me first of all to congratulate the Under-Secretary-General for Humanitarian Affairs along with his whole team for the excellent job done in the course of the last year. Thanks to their commitment and dedication to the humanitarian cause, the Office for the Coordination of Humanitarian Affairs has attained the level and quality of activity that my delegation has long hoped for.

My delegation also welcomes the holding of the second humanitarian segment at the substantive session of the Economic and Social Council in July. We are convinced that this exercise should be continued in the interest of enhanced dialogue among the delegations. However, if the segment is to contribute effectively to humanitarian coordination and provide guidelines to humanitarian agencies, certain improvements still need to be contemplated.

In spite of all the efforts that have been made, it must be acknowledged that the topic of humanitarian coordination continues to be of concern, as was demonstrated in the recent crises in the Balkans and in East Timor, or in the humanitarian response to hurricane Mitch. The appropriateness, efficiency and speed with which humanitarian aid is delivered to the victims of natural disasters and armed conflicts are topics that continue to give rise to many questions.

In order to cope successfully with the problems posed by humanitarian coordination, it is important to distinguish the responsibility of States and parties to conflicts, on the one hand, from the responsibility of humanitarian actors on the other. Allow me to offer a few thoughts on each of these aspects.

As regards natural disasters, States need to devise strategies for ensuring lasting economic and social development. At the same time, they need to incorporate disaster prevention and the quest for solutions to disasters in their overall development plans and in the international warning systems. States — and also humanitarian actors — could also enhance the effectiveness of emergency relief by establishing targeted training programmes for humanitarian actors responding not only to natural disasters but also to complex emergency situations. States should also establish flexible mechanisms for the financing of humanitarian activities.

As regards armed conflict, it must unfortunately be acknowledged that the rules of international humanitarian law and those of international human rights law are often flouted. In order to create a safe environment for humanitarian action, the rules of international humanitarian law must be strictly adhered to. In this regard, we should recall the primary responsibility of States and of all parties to conflicts. In effect States should undertake additional measures, such as stepping up efforts to eliminate anti-personnel mines, combating the excessive stockpiling and illicit trafficking in small arms and light weapons, addressing the fate of children involved in armed conflicts, protecting and assisting internally displaced people and ensuring the rapid entry into force of the Statute of the International Criminal Court.

Switzerland would also appeal once again to the parties in non-international armed conflicts to comply fully and scrupulously with the pertinent rules of international humanitarian law, in particular those embodied in common article 3 of the Geneva Conventions and the provisions of Protocol II. Likewise Switzerland appeals once again to parties to conflicts to provide for the safety and dignity of people fleeing combat zones and to create the necessary conditions so that humanitarian organizations can provide assistance and protection to the civilian population.

Switzerland knows that it is not alone in advocating the dissemination of a culture of peace, reconciliation and understanding among individuals and among peoples. Moreover, it would be inconceivable to act in isolation. Active support must be given by States and by parties to conflicts and — in accordance with their respective mandates — by United Nations humanitarian actors, the Red Cross and the Red Crescent and non-governmental organizations.

This leads me to my second point, which has to do with the role of humanitarian actors in humanitarian coordination. Switzerland takes the view that humanitarian crises, whatever their nature, can be effectively resolved only through multifaceted involvement covering all aspects of the crisis. In other words, it is essential to plan coordination and consultation with all the actors — humanitarian and others, United Nations actors and non-United Nations actors.

During the crisis phase, humanitarian actors should already be preparing and planning for the transition, by defining by common agreement a strategic framework

with development actors. At a time of increasing globalization, the economic and financial institutions also must play their role and shoulder their responsibility. In this regard, it is urgent that these institutions become aware of their obligations and act accordingly.

Switzerland also takes the view that the United Nations has enough coordination mechanisms, both in the field and at Headquarters. We note, however, that still there is too often a waste of resources, duplication of effort and undesirable competition among the humanitarian organizations themselves. This competition is now unfortunately compounded by that of the development actors, themselves eager to become operational in the humanitarian area as well.

We feel that the potential gaps between the mandates of the various actors could be breached by the establishment of closer links between the existing coordination mechanisms. We therefore believe that what is needed above all is a change of culture. All the actors should truly cooperate and stop engaging in jurisdictional battles. The first lessons of the Kosovo crisis clearly show in this respect that it is essential to ensure that the mandates and roles of every actor present in the field be known and respected.

In this regard, Switzerland is convinced of the subsidiary nature of the presence of armed forces in the humanitarian and development space. In the crisis phase, it may be possible to consider a contribution from armed forces. This should be confined, however, to certain well-defined spheres, such as security, logistical support and telecommunications, for example. Armed forces should not replace the local labour force.

The Acting President: In accordance with General Assembly resolution 45/6 of 16 October 1990, I now call on the observer of the International Committee of the Red Cross.

Mr. Paclisanu (International Committee of the Red Cross): In many conflicts, civilians are no longer considered to be extraneous to war or even used as a logistic or political support base. They have become stakes in conflicts or even the very reason for them. Because of their religious, cultural or ethnic affiliation, they have become a tool of warfare, a target of hostilities.

Granted, this tendency is not new. However, the trend has grown worse in contemporary conflicts, in particular those involving issues of identity. As a result, there has

been an exponential increase in security risks incurred by humanitarian personnel. By virtue of their presence on the ground at the very heart of conflicts, they have come to be viewed as dangerous witnesses to the brutal methods of exclusion or elimination used by protagonists. The dozens of casualties mourned by humanitarian organizations in the last few years attest to this. The tragic irony, however, is that the international community has come to accept losses among humanitarian workers more easily than it does those suffered by the military.

Another impediment to the effectiveness of humanitarian action and efforts is the international community's apparent lack of consistency in managing crises. Unequal attention has been paid to dire humanitarian emergencies. Whereas developments in Kosovo and East Timor, for example, have assumed global dimensions, humanitarian agencies have been left alone to cope with long, drawn-out conflicts in such places as Central Africa, the Sudan, Angola or Afghanistan.

The International Committee of the Red Cross (ICRC) would like to recall what it has been so tireless in repeating: Political problems need political solutions. Humanitarian endeavours cannot substitute for these. They can, at the very best, serve as palliative means of containing politically unstable situations. Although humanitarian action takes place in contexts in which political, economic, social and military factors are inextricably connected, it is absolutely vital for humanitarian institutions to preserve the strictly non-political and impartial character of their mission. The provision of humanitarian assistance must not be linked to progress in political negotiations or to other political objectives. This would ultimately lead to an unacceptable distinction between so-called "good" and "bad" victims. Humanitarian aid and political action must not only be dissociated from one another — they must also be perceived as such.

This rather pessimistic general observation must not be cause for gloom. On the contrary, it is a reminder that, despite considerable difficulties, humanitarian organizations are able to provide protection and assistance to millions of people every day. It should also give us pause for thought on what can and must be done to improve the lot of civilians caught up in armed conflicts. For the ICRC, there is no doubt — absolutely no doubt — that human beings and respect for human dignity must be returned to the heart of political thinking and decision-making.

This real concern was at the core of debates at the twenty-seventh International Conference of the Red Cross and Red Crescent, which convened in Geneva at the beginning of this month. It gathered representatives of the International Red Cross and Red Crescent Movement's components and of States parties to the Geneva Conventions. All shared their views and worked to coordinate their efforts to tackle emergencies. The Conference stressed the power of humanity in challenging inequalities, in preparing for and efficiently responding to emergencies and in searching for common solutions to the humanitarian consequences of conflicts and disasters.

A detailed Plan of Action for the coming four years was adopted. It outlines key goals and proposed actions for their implementation. The improvement of humanitarian response was deemed a priority. It is to be achieved through improved national and international preparedness; strengthened mechanisms of cooperation and coordination amongst States, the Movement of the Red Cross and Red Crescent and other humanitarian actors; improved priority-setting by focusing on the rights and needs of the most vulnerable people; and, last but certainly not least, a better understanding of the respective roles of political, military and humanitarian actors, as well as protection of humanitarian personnel.

Against this backdrop, the ICRC would like to stress its continued commitment to improved coordination between humanitarian agencies. It does recognize the need to strengthen its cooperation with bodies such as the Inter-Agency Standing Committee. This policy is dictated by two key considerations.

The first is ICRC's desire to achieve the greatest possible complementarity between the efforts of the Movement and those of the United Nations and other humanitarian organizations. The second, and certainly no less important, relates to ICRC's firm determination to fulfil its special role as an independent and neutral intermediary in situations of armed conflict, as enshrined in the Geneva Conventions.

Apart from this expanding cooperation with United Nations coordination mechanisms, the ICRC has also been pursuing a bilateral dialogue with United Nations specialized agencies and bodies, as well as with some of the major non-governmental organizations involved in emergency situations and humanitarian advocacy. This two-track approach is aimed at enhancing mutual understanding and strengthening sectoral coordination and cooperation.

Effective humanitarian response to crisis also depends upon the development of an open dialogue between all key players in humanitarian emergencies, both within and beyond the humanitarian community. This is essential to the relevance of humanitarian action, especially in today's volatile and rapidly changing conflict environments. The ICRC thus strives to expand its contacts with political and military organizations, as well as financial institutions such as the World Bank.

The ICRC is convinced that now more than ever, humanitarian agencies and political leaders should engage in a regular, comprehensive dialogue. It recognizes the need to be proactive in matters involving humanitarian diplomacy and is therefore paying increasing attention to its interaction with Governments and regional and global political bodies.

As part of this ongoing drive, last May the ICRC convened, for the third consecutive year, the Wolfsberg Humanitarian Forum. This gathering provides humanitarian leaders and senior Government officials in charge of humanitarian affairs with a unique opportunity to discuss and debate humanitarian issues in an informal setting. The last round of discussions emphasized the need for a comprehensive approach to crisis management, taking into account the respective mandates — and I underline these last words, respective mandates — and roles of the various actors, political, military and humanitarian.

The challenges ahead lie in the international community's ability and will to reach comprehensive solutions to humanitarian problems. Such solutions can last only if they rest on political, economic and social measures which deal with the roots of conflicts. The ICRC, for its part, spares no effort in striving for efficient humanitarian coordination and for a clearly defined framework of interaction between humanitarian and political endeavours, one that preserves the essence of humanitarian action.

The Acting President: In accordance with General Assembly resolution 48/265 of 24 August 1994, I now call on the observer for the Sovereign Military Order of Malta.

Mr. Linati-Bosch (Sovereign Military Order of Malta): Today the most important activities of the Sovereign Military Order of Malta can be seen as being strongly related to respect for and development of human rights, if we consider the fight against poverty and

ignorance and the struggle in favour of the security of persons, equality before the law, freedom of movement, family rights and freedom of thought, conscience and religion. All these items justify the importance that the Sovereign Order attaches to human rights and to their implementation.

The Sovereign Order of Malta is conscious of its duties with respect to human rights and of the universal, indivisible, interdependent and interrelated nature of these rights, for, in accordance with its tradition, the Order states that they come directly from God. We also acknowledge that human rights, if violated, are a matter that concerns each State under the limits of its sovereignty, but we also recognized that, at the same time, the international community must be conscious of its responsibility.

In accordance with the spirit of the statement made at the forty-eighth session of the General Assembly, in 1993, the Order underlines the important task that all States must carry out to ensure the full and effective implementation of the principles of international humanitarian law in order to assure the safety and security of personnel working in relief assistance. The recent experience of the Order in East Timor highlights the urgent need in this regard.

The process of protecting human rights has an impact on development and, at the same time, helps prevent conflicts and promote their resolution and encompasses economic, social and cultural rights. If I may be allowed to speak in financial terms, we need to invest first in order to obtain benefits later. In this case, the beneficiary is mankind. This is a challenge that, without exaggeration, can be qualified as the most important aim of the international community.

We must recognize that we are still far from reaching our goal, as 1 billion people live today in absolute poverty, without having their basic needs fulfilled, a gap that we can also find in other areas such as education, tolerance and dialogue. As His Holiness John Paul II said in his message to the General Assembly on 11 December 1998,

"these fundamental rights — proclaimed, codified and celebrated though they are — are still the object of continuous and serious violations." (A/53/PV.90, p. 22)

In fact, we continue to live in a divided world where more than 80 per cent of natural resources are controlled and consumed by only 20 per cent of humanity. Therefore,

we cannot merely be proud of the achievements and advances of human rights, but must also focus our attention on the work that remains to be done. The Order is ready to take part in a process of international consciousness-raising devoted to cooperation and partnership. We are pleased to point out to the General Assembly that the Order of Malta has subscribed to United Nations principles by sending aid and helping in the reconstruction of El Salvador, the Dominican Republic, Guatemala, Haiti, Nicaragua and other parts of the Caribbean area, helping with a global aid package of over \$8 million, in addition to volunteer work. The bilateral agreement between the Order and the Republic of Cuba amounts to almost as much.

In Honduras, the Emergency Corps of the Order of Malta, has decided to undertake two separate relief projects. The first is in Choluteca, a town of 100,000 inhabitants and the capital of the Choluteca district, which has 450,000 inhabitants. Aid was sent to people living in temporary shelters and suffering from acute health problems caused by poor hygienic conditions. The second is in the village of Morolica, a local centre for an area comprising 6,000 inhabitants, which was supplied with mobile medical teams, household supplies and the equipment needed for a dispensary. In both cases, the Order is helping restore normal living conditions to the areas. The Order of Malta has worked very hard in the protection of human rights this year, providing help to the injured in more than 100 countries, and especially in Kosovo and East Timor, where it has helped reconstruct towns and villages and assist displaced persons.

All human rights are of equal importance to the individual, but the eradication of poverty, the need to ensure human dignity, and the protection of women and children are especially relevant. In addition to these points of vital importance, the Order of Malta cannot hide its concern over the lack of protection for religious minorities, who are suffering persecution in different parts of the world, especially in Asia and Africa, in contravention of article 18 of the Universal Declaration of Human Rights, which states that everyone has the right to freedom of thought, conscience and religion — a right that must be duly respected.

We are pleased to recognize and proclaim that the world has come a long way since the adoption of the Universal Declaration. Its recognition is gradually becoming universal and includes the overthrow of totalitarian systems and racial discrimination. An important share of this substantial work is carried out by

the United Nations and the Commission on Human Rights. The Rome Conference held in 1998 to establish an international criminal court must be singled out as an important step. Now we need this new Tribunal to be converted into an efficient, impartial and fruitful organization.

Allow me to conclude this statement by reaffirming the commitment of the Sovereign Military Order of Malta and underscoring the importance of international cooperation and the Order's support for the action of all those persons and entities devoted to the promotion of and respect for human rights and fundamental freedoms.

The Acting President: In accordance with General Assembly resolution 49/2 of 19 October 1994, I now call on the observer of the International Federation of Red Cross and Red Crescent Societies.

Mr. Gospodinov (International Federation of Red Cross and Red Crescent Societies): Thank you for giving me this opportunity to share some observations on humanitarian coordination, which we shall do with special reference to the consequences of the Chernobyl disaster. The humanitarian and disaster response challenges that have faced the international community over the past year have been many and significant. At the same time, a number of severe crises and long-standing emergencies in Africa and in other parts of the world have continued, although they have received less attention. We select the example of Chernobyl because we believe it is a good example of coordination of United Nations humanitarian and disaster relief assistance and because it also illustrates several issues we should like to highlight.

The International Federation of Red Cross and Red Crescent Societies has been involved in the provision of services to the populations affected by Chernobyl since 1990 and is currently planning to continue this until the year 2006. These services consist of medical screening, psychological support and other actions and focus in particular on children and those who were children at the time of the disaster. Our activities are closely coordinated with those of the United Nations system, ensuring that costs are kept at an absolute minimum and that there is no overlap between the agencies. The Chernobyl-related programmes of the International Federation, the United Nations and the Red Cross Societies of Belarus, Russia and Ukraine have been pared down, streamlined, coordinated and made more efficient over the years. We are convinced that they deliver real benefits to the populations concerned.

The efforts that have gone into ensuring a coordinated approach, however, have not translated into a secure resource base. On the contrary, there is a real danger that our involvement will have to be discontinued. Evidently, we believe these activities must continue for several reasons. Chief among these is concern for the health and psychological welfare of tens of thousands of children. Another reason for continuing the work is the experience and knowledge we and other actors are gaining. Events in Japan and Korea in the last few months have shown that nuclear accidents can and will most probably happen again. We are not convinced that the international community is fully equipped yet to cope with the humanitarian consequences of such accidents. We need this experience and knowledge to ensure an adequate level of preparedness.

There are two issues for the International Federation of Red Cross and Red Crescent Societies which emerge from this experience. In the first instance, it is necessary to examine the processes which determine the response to particular situations, with a view to ensuring that the interest of the victims is the primary factor — not media attention, political convenience or other interests. In the case of Chernobyl, it seems clear that the time elapsed since the initial events has allowed the humanitarian aspect of the situation to be de-emphasized.

Secondly, we need to develop funding tools that allocate resources in a more predictable manner than is the case today. This is partly a matter of expanding the donor base, but it is also a matter of ensuring that agencies and organizations can go about planning and managing their interventions with a level of confidence that they will be able to conclude their work in a systematic and professional way. That is the only way to ensure that the beneficiaries' interests in predictability and stability of the operations will be taken into account.

Dealing constructively with these issues, and with other broad coordination issues, requires the participants in the system to have their internal mechanisms in order. For its part, the International Federation of Red Cross and Red Crescent Societies has adopted a new strategy for the period 2000-2010, which aims to further harmonize and improve its national and international programmes in disaster preparedness and response. In particular, emphasis will be placed on ensuring that our system is responsive to local vulnerabilities and supports the development of local capacities that can be linked to other levels in case of need. We believe that a better coordinated Red Cross and Red Crescent system will

increase our capacity to coordinate with other partners, in this as in other fields.

On a different level, the recently concluded International Conference of the Red Cross and Red Crescent also emphasized the need for effective response through improved preparedness, as well as strengthened mechanisms for cooperation and coordination among States, the Red Cross and Red Crescent Movement and other agencies. As a result, National Red Cross and Red Crescent Societies, as well as the International Federation, will review and strengthen their response capacities, particularly in relation to changing patterns of risk and vulnerability induced, for example, by climate change.

The International Federation looks forward to further strengthening its already good cooperation with the Office for the Coordination of Humanitarian Affairs (OCHA), with all United Nations agencies and with individual Governments to upgrade and develop the coordination mechanisms related to humanitarian and disaster relief assistance. The tragic events in Chernobyl, Turkey, Greece, and elsewhere do not leave us any other choice but to work more closely together, do better and help faster.

The Acting President: We have heard the last speaker in the debate on this item.

The Assembly will now take a decision on draft resolution A/54/L.17/Rev.1, entitled "Emergency response to disasters".

I should like to announce that since its introduction, the following countries have joined as sponsors of the draft resolution: Belarus, Colombia, Eritrea, Gabon, Guinea, Iceland, the Islamic Republic of Iran, Israel and Kuwait.

May I take it that the Assembly decides to adopt draft resolution A/54/L.17/Rev.1?

Draft resolution A/54/L.17/Rev.1 was adopted (resolution 54/30).

The Acting President: I should like to inform members that action on draft resolutions A/54/L.22 and A/54/L.29 will be taken at a later date, and that further draft resolutions on this item will be submitted also at a later date.

The Assembly has thus concluded this stage of its consideration of agenda item 20.

Agenda item 40

Oceans and the law of the sea

(a) Law of the sea

Report of the Secretary-General (A/54/429 and Corr.1)

Draft resolution (A/54/L.31)

(b) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Report of the Secretary-General (A/54/461)

Draft resolution (A/54/L.28)

(c) Results of the review by the Commission on Sustainable Development of the sectoral theme of "oceans and seas"

Report of the Secretary-General (A/54/429 and Corr.1)

Draft resolution (A/54/L.32)

The Acting President: I call on the representative of Finland to introduce draft resolution A/54/L.31 and to make a statement on behalf of the European Union.

Mrs. Lehto (Finland): I have the honour, as coordinator, to introduce draft resolution A/54/L.31 on agenda item 40, entitled "Oceans and the law of the sea". There are two other draft resolutions on this item: A/54/L.28, concerning the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and A/54/L.32, concerning the results of the review by the Commission on Sustainable Development of the sectoral theme of "oceans and seas". These draft resolutions will be introduced by the representatives of the United States and of New Zealand, respectively.

Since I am introducing draft resolution A/54/L.31 and also making a more general statement on behalf of

the European Union, the first part of my intervention will be brief. A more complete text of the introduction will be circulated.

In addition to the countries referred to in document A/54/L.31, the sponsors of the draft resolution include the Federated States of Micronesia and the Philippines.

Draft resolution A/54/L.31 is the result of a series of open-ended consultations, and I wish to take this opportunity to express my appreciation for the active participation in these consultations of a great number of delegations. The sustained interest in the item is reflected in the fact that the draft resolution contains nearly 20 entirely new paragraphs. Some of the more traditional preambular and operative paragraphs have also been considerably reworded and updated.

The focus of the draft resolution, as in previous cases, is to recall the strategic importance of the United Nations Convention on the Law of the Sea as the framework for action in the marine sphere, and to welcome the increase in the number of States parties to the Convention, while encouraging States that have not yet done so to become parties to the Convention and to the 1994 implementation Agreement. As previously, it also comments on recent developments with regard to the three institutions established by the Convention: the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf.

At the same time, reflecting the report of the Secretary-General (A/54/429) on this item, the draft resolution comments on other developments and issues relating to ocean affairs and the law of the sea. This year such issues include the dumping of nuclear waste and other toxic substances, the regional seas programme of the United Nations Environment Programme (UNEP), the increasing threat to shipping from piracy and armed robbery at sea, the importance of enhancing the safety of navigation and the continued work of the United Nations Educational, Scientific and Cultural Organization towards a convention on the protection of the underwater cultural heritage. The draft resolution also takes note of the major challenges, as well as of the areas of particular concern facing the international community with regard to the seas and oceans as they are formulated in the recommendations of the Commission on Sustainable Development.

Developments during the past few years have confirmed the overall trend towards universal participation in and adherence to, the legal regime established by the

Convention. Ensuring a coordinated approach to the implementation of the Convention has therefore become a priority. The draft resolution calls upon States to harmonize as a matter of priority their national legislation with the provisions of the Convention and to withdraw any declarations that are not in conformity with it.

The draft resolution also recognizes the increasing need, particularly of developing States, for advice and assistance in the implementation of the Convention and the Agreement. In this context, it is noted that developing countries, in particular small island developing States, may need assistance in the preparation and publication of charts required by the Convention, and the international community is urged to give them such assistance as appropriate.

The draft resolution highlights the importance of the annual comprehensive report of the Secretary-General, as well as the importance of the manifold activities of the Division for Ocean Affairs and the Law of the Sea of the Secretariat's Office of Legal Affairs. The Secretary-General is requested to continue to carry out the responsibilities entrusted to him in the Convention and in related General Assembly resolutions.

The final paragraphs of the draft resolution, concerning the annual review and evaluation by the General Assembly of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, make reference to the resolution to be adopted under sub-item 40 (c), which will set out the modalities for an improved debate on this item next year.

Before concluding the first part of my intervention, I would like once more to thank all the delegations that participated in the consultations on draft resolution A/54/L.31 for their important contributions and their remarkable spirit of cooperation. I would also like to thank the staff of the Division for Ocean Affairs and the Law of the Sea for their highly competent assistance, which once again was invaluable to our work.

As Finland currently holds the presidency of the European Union, I will now continue with more general remarks, which I have the honour to deliver on behalf of the European Union. The Central and Eastern European Countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia —

and the associated countries of Cyprus and Malta, align themselves with this statement.

In recent years, particular attention has been paid to strengthening cooperation in ocean affairs. The new developments correspond to an acutely felt need for more coordination in this area. As pointed out in the Secretary-General's report now before us, the natural characteristics of the oceans make it impossible to limit the resources and various uses and physical processes of the oceans within specified politically and legally defined boundaries. This led to the fundamental principle enshrined in the United Nations Convention on the Law of the Sea that the problems of ocean space are closely interrelated and need to be considered as a whole.

Following the 1998 International Year of the Ocean, the United Nations Commission on Sustainable Development emphasized in the report of its seventh session the importance of international cooperation in ensuring that the oceans and seas remain sustainable through integrated management. All States will be sure to benefit from the sustainable use of the oceans and seas within the framework of the United Nations Convention on the Law of the Sea and Agenda 21.

For the promotion of improved cooperation and coordination, the Commission recommended that the General Assembly establish an open-ended informal consultative process, or other processes upon which it may decide, to discuss relevant issues within the Assembly's mandate. The European Union supported decision 7/1 of the Commission, which was later endorsed by the Economic and Social Council.

We also fully support the establishment of an open-ended informal consultative process, which is to be decided upon under sub-item 40 (c). The process will operate through convening annual meetings. It will identify issues to be considered by the General Assembly, as well as areas where coordination and cooperation at the intergovernmental and inter-agency level should be enhanced. The annual meeting of the process should deliberate on the Secretary-General's report on oceans and the law of the sea, with due account given to any particular requests of the General Assembly, any relevant special reports of the Secretary-General and any relevant recommendations of the Commission on Sustainable Development.

To be meaningful, a process dealing with the vast area and the various uses of the oceans and seas by definition

needs to be open-ended and transparent. It is of great importance to the European Union that the process ensures opportunities for civil society, representing various major interest groups in sustainable development and ocean affairs, to give inputs and thereby enrich our future deliberations. It is our understanding that the draft resolution we are about to adopt under sub-item 40 (c) provides for such participation.

It is also particularly important that international fisheries organizations, as well as environmental organizations, can be part of the process and share their expertise with other participants.

Obviously, any consideration of ocean uses shall be conducted within the legal framework of the Convention on the Law of the Sea. It is today as important as it was at the adoption of the Convention to recognize that all aspects of oceans and seas are closely interrelated and need to be considered as a whole. This is also in line with the objectives of sustainable development, as described in Agenda 21.

The Law of the Sea Convention is the cornerstone of the international efforts to solve problems related to the seas and oceans. Given its significant role for the management of the world's oceans, universal acceptance of the Convention — as well as of the Agreement relating to the implementation of Part XI of Convention — is important. The European Union notes with satisfaction that the number of parties to the Convention has continued to increase. Presently, the Convention has 132 parties, among them nearly all of the member States of the European Union, as well as the European Community.

It should be noted, however, that a number of States that have ratified the Law of the Sea Convention have still not adhered to the Agreement. Once again, we call upon those States to ratify the Agreement as well. It is important that all States continue to work towards a universal, uniform and coherent body of law for the oceans and that they become parties to both the Convention and the Agreement.

Once again, we also note with concern that notwithstanding article 310 of the Convention, a number of States have made declarations that appear to exclude or modify the legal effect of certain provisions of the Convention. As the Convention clearly states in article 309 that reservations may not be made, such declarations cannot have any legal effect. Similarly unacceptable is

national legislation not in compliance with the Convention. The European Union is particularly concerned about unilateral measures that disturb the jurisdictional balance and claim authority in maritime space where no such authority exists in law. We want to underline that the Convention was adopted as a package and that respect for its integrity as a whole must be maintained and safeguarded.

As in previous years, the Secretary-General's report on sub-items (a) and (c) offers a comprehensive account of events and developments in the course of the reporting period. With particular appreciation, we note the detailed and interesting discussion in chapter VII of the report of matters concerning the development and management of marine resources and the protection and preservation of the marine environment.

As concerns institutional developments, the European Union appreciates the fact that the International Tribunal for the Law of the Sea is now fully functioning and has already delivered major decisions in four cases. The Tribunal has an important role in the dispute settlement mechanism established by the Law of the Sea Convention.

The International Seabed Authority has continued to establish its working procedures. It is to be hoped that the substantive work of the Authority will be conducted in an expeditious and cost-effective way. In this regard, we note with satisfaction the commitment of the members of the Authority to work towards the adoption during 2000 of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area.

Similarly, we take note of the progress made in the Commission on the Limits of the Continental Shelf in adopting its Scientific and Technical Guidelines and an action plan on training, taking into account in particular the needs of developing States.

The European Union also considers it of crucial importance that all parties to the Convention pay their contributions to the Authority and to the Law of the Sea Tribunal in full and on time, and that States which are former provisional members of the Authority pay any outstanding contributions. The European Union emphasizes the need for the Tribunal and the Authority to ensure that their budgetary proposals are fully cost-effective, which in our view means that they should not be higher than those approved for the year 2000.

The European Union welcomes the work of the International Maritime Organization over the last year to tackle the serious problem of piracy and armed robbery against ships. This has helped to raise awareness and offer practical guidance on how to deal with incidents of piracy and armed robbery. However, the European Union remains concerned about the number of attacks against ships and the increased use of violence in such attacks. We believe that regional cooperation is essential if the action by coastal States is to be effective. Therefore the European Union urges all coastal States to cooperate and take all possible action to prevent attacks against shipping in areas under their jurisdiction and to investigate such attacks when they occur. In addition, the European Union calls on flag States to ensure that their shipping companies take appropriate precautions to protect their ships and crews from attack. The European Union continues to support the efforts and initiatives of the International Maritime Organization in this area and calls upon all Governments, particularly those in the areas most affected, to work with the IMO to eliminate these unlawful activities.

The European Union has continued its efforts to prevent illegal trafficking and transportation of migrants by sea. The member States of the European Union are actively participating in the elaboration of a protocol addressing smuggling of migrants by land, air and sea in the context of the preparation of a convention to combat transnational organized crime under the auspices of the United Nations Commission on Crime Prevention and Criminal Justice. Smuggling of migrants frequently takes place by sea. The European Union considers it especially important that the smuggling of migrants be prevented. Next to criminalizing specific activities, effective prevention will require in particular increasing the cooperation between the appropriate authorities of States.

In the field of fisheries, the European Union recognizes the significance of the Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks as an important contribution to ensuring the conservation and management of these stocks. The instruments of ratification of the European Community and its member States will be deposited simultaneously at the United Nations as soon as national procedures are finalized in each State. We hope to conclude this process in the near future. The European Union calls upon States that have not done so to ratify or accede to the Agreement.

The European Union attaches great importance to the integration of environmental, economic and social issues into sustainable fisheries management. We also stress the importance of control measures to enforce sustainable limits on the exploitation of specific fish stocks agreed in the framework of international organizations. Furthermore, the European Union urges the widespread incorporation into national fisheries sector working practices of guidance offered by the Code of Conduct for Responsible Fisheries. All States and fisheries management organizations need also to make special efforts to address the problem of illegal, unregulated and unreported fishing, which undermines all our efforts to achieve sustainable management of fisheries.

The European Union welcomes the work of UNEP to coordinate action by United Nations agencies and programmes in support of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. We emphasize the urgency of integrated action to prevent land-based pollution, which damages the vital resources of the seas and hampers their role in eradicating poverty.

The European Union also emphasizes the importance of the protection of the underwater cultural heritage, as reflected in draft resolution A/54/L.31.

Efforts to develop and codify international law have been particularly successful in the field of the law of the sea. Together with its implementing Agreements, the Convention on the Law of the Sea provides a constitution for the oceans that not only regulates the various uses of the seas but also thereby promotes the cause of peace and security.

The recent developments in the area of ensuring that the oceans and seas remain sustainable through integrated management lend additional relevance to the Convention regime. Likewise, the need for international coordination and cooperation highlighted by the Commission on Sustainable Development reflect well the goals and objectives of the Convention. At the same time, we would emphasize the importance of capacity-building in ways which are relevant to the needs of developing countries and which will facilitate their full participation in the integrated management of the ocean environment. Such developments are essential to the achievement of a global response to the work of the Commission on Sustainable Development.

As in the past, the European Union recognizes the important functions of coastal ecosystems to human

welfare. This is particularly relevant in the case of small island developing States. In this regard, we recall the recent special session of the General Assembly for the review and appraisal of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, and we are pleased that all participants in the session have reaffirmed their commitment to implement the Barbados Programme of Action.

The General Assembly is about to take another important step in the development and management of the ocean environment. The European Union gives its support to the draft resolutions before us.

In conclusion, we would like to thank the Secretary-General and the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs for the extensive and informative report on "Oceans and the law of the sea". It provides proof of the professional skills of the Secretariat in this field and bodes well for the new informal consultative process to promote consideration of ocean affairs at the United Nations.

The Acting President: I give the floor to the representative of the United States to introduce draft resolution A/54/L.28.

Mr. Ortique (United States of America): I am speaking on behalf of Rear Admiral J. S. Carmichael, who regrets that he is unable to be here today owing to weather conditions in Washington.

My delegation has the honour to introduce, on behalf of the other sponsors, the draft resolution entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks", contained in document A/54/L.28.

In the past several years major emphasis has been placed on sustainable fisheries at both the governmental and the intergovernmental levels. Most notably, this year the Committee on Fisheries of the Food and Agriculture Organization of the United Nations (FAO) made important progress by endorsing three international plans of action: the International Plan of Action for the Management of Fishing Capacity, the International Plan of Action for the Conservation and Management of Sharks, and the International Plan of Action for Reducing

Incidental Catch of Seabirds in Longline Fisheries. The United States is a strong supporter of the FAO international plans of action and participated actively in their development. The United States urges all countries to actively implement these important international plans of action by the timetables agreed to in the plans. We also wish to underscore the urgent need for the entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and the FAO Agreement to Promote Compliance with Conservation and Management Measures by Fishing Vessels on the High Seas, as described in the report of the Secretary-General on agenda item 40 (b) (A/54/461). We urge all Governments if they have not already done so to become parties to these agreements as soon as possible.

The United States believes that one of the most effective ways nations can promote sustainable fisheries and address the problems of illegal, unregulated and unreported fishing is to implement the provisions contained in the United Nations Fish Stocks Agreement, the Compliance Agreement, and the FAO Code of Conduct for Responsible Fisheries. The United States will support the work of the International Maritime Organization in addressing the problem of illegal, unregulated and unreported fishing, and urges other States to do likewise.

In introducing the text of the draft resolution entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks", contained in document A/54/L.28, I would like to draw the attention of delegations to a technical correction to footnote 5 of that draft resolution. That footnote should read as follows:

"The Convention Area for the Commission for the Conservation of Antarctic Marine Living Resources as contained in document A/54/429, paras. 249-257 and 300-304".

My delegation also has the honour to be among the sponsors of draft resolution A/54/L.31, entitled "Oceans and the law of the sea", as well as of the draft resolution on coordination and cooperation regarding sustainable development (A/54/L.32). Once again, we would like to extend our gratitude to all those delegations which offered

valuable suggestions and worked in a spirit of cooperation to draft these texts.

The United States wants to express its long-standing support for the 1982 United Nations Convention on the Law of the Sea. With paragraph 1 of draft resolution A/54/L.31 in mind, we are continuing to pursue ratification with the goal of becoming a party to the Law of the Sea Convention and to the Agreement relating to the implementation of Part XI of the Convention. We support the call early in the draft resolution for States to harmonize as a matter of priority their national legislation with the provisions of the Law of the Sea Convention. Consistency would also be advanced, and it is in the interests of all that declarations and statements that are not in conformity with the Convention be withdrawn.

Concurrent with this idea of consistency is the noting in paragraph 30 of draft resolution A/54/L.31 of the continued work towards the development of a draft convention relating to underwater cultural heritage to assure full conformity with the relevant provisions of the Law of the Sea Convention. In this regard, the United States believes that there are still substantial issues on which there must be consensus before a draft convention can be considered for adoption, in particular the extent of coastal-State jurisdiction over underwater cultural heritage in the exclusive economic zone and on the continental shelf seaward of 24 nautical miles, and the treatment of vessels and aircraft entitled to sovereign immunity.

The United States shares the concerns expressed in paragraphs 20 through 23 regarding the need to cooperate to suppress acts of piracy and robbery at sea. We welcome the call in paragraph 23 for wider ratification and effective implementation of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol. We believe that this will provide an international legal basis for cooperation in the apprehension and prosecution of such criminals.

In its paragraph 14, draft resolution A/54/L.31 refers to the work of the Commission on the Limits of the Continental Shelf. It is important that the Commission proceed in a cautious manner in addressing the difficult issues of law, science and the relationship of the continental shelf and the deep sea ocean floor that it must inevitably face. It is important to keep in mind that only a minority of States have continental margins that extend beyond 200 miles. Regarding paragraph 19, we note that article 207 of the Law of the Sea Convention calls upon

States to take measures to prevent, reduce and control pollution of the marine environment emanating from land-based sources. In this regard, we are extremely pleased that parties to the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region recently concluded and opened for signature a unique protocol on this very subject. We believe that this protocol will make a significant contribution to the sustainable development of the marine environment of the Caribbean Sea and the Gulf of Mexico.

Also this year, the Commission on Sustainable Development addressed oceans and seas as one of its themes. This Commission session resulted in a decision that highlights major challenges and areas of particular concern for oceans and seas, in our opinion. This decision should serve as an important guide for the work of countries and the General Assembly to conserve and manage our vital ocean resources.

The United States welcomes the inclusion of sub-item 40 (c) calling for an improvement in coordination and cooperation on matters relating to oceans and seas. This was an important outcome of the recent meeting of the Commission on Sustainable Development. The full General Assembly review and debate, presaged in the clear language of Agenda 21, has now come to fruition. The debate will be informed, as the Secretary-General's report will be available for review in advance of the informal consultative process. The principles set forth in the Commission decision have been fully taken into account by the resolution. Our Government urges the involvement of the appropriate intergovernmental agencies, organizations and major groups. Only through such participation will we truly be able to identify how improvements and refinements can be made in this area. Governments will be undertaking this process secure in the knowledge — and I quote from Agenda 21, Chapter 17 — that the United Nations Convention on the Law of the Sea:

“sets forth rights and obligations of States and provides the international basis upon which to pursue the protection and sustainable development of the marine and coastal environment and its resources”.

We thank the group of South Pacific countries (SOPAC), the Rio Group, the Governments of New Zealand and Mexico and all of those who participated in this important negotiation. We look forward to the first meeting of this group in May. The positive and

constructive spirit of these negotiations bodes well for our future.

In summary, Mr. President, the United States' objectives continue to be: first, promotion of widespread adherence to and implementation of the provisions of the Law of the Sea Convention and the 1994 Agreement; secondly, implementation of the Convention and the Agreement in a cost-effective manner with budgets held to the minimum; thirdly, the entry into force of the United Nations Fish Stocks Agreement and the compliance agreement; and, finally, provision for an annual overview of oceans issues in the General Assembly under a single agenda item. A large measure, but we are equal to the task.

Ms. Hallum (New Zealand): I have the honour, on behalf of the sponsors, to introduce draft resolution A/54/L.32, entitled “Results of the review by the Commission on Sustainable Development of the sectoral theme of ‘oceans and seas’: international coordination and cooperation”. In addition to the 32 countries listed to in A/54/L.32 the sponsors include France, Ireland, Italy, Japan, Monaco, Panama, Philippines, Portugal, Slovenia and the United Kingdom.

The draft resolution before us is a new resolution that follows on from the Commission on Sustainable Development's review of the theme “oceans and seas” at its seventh session in April this year. The Commission devoted considerable time and attention to the need for improved international coordination and cooperation on oceans-related issues. The Commission was convinced that, building on existing arrangements, a more integrated approach was required to all legal, economic, social and environmental aspects of the oceans and seas, both at the intergovernmental and inter-agency level. In order to achieve this goal, the Commission made a number of concrete recommendations.

The draft resolution before us today carries forth and implements those recommendations and is the result of a lengthy process of collaborative work amongst a large number of delegations. The sponsors would like particularly to thank Mr. Navid Hanif of Pakistan and Mr. John Holmes of Canada for the able manner in which they chaired the open-ended consultations on the draft resolution, as well as all delegations for their constructive input and involvement. We also thank the Secretariat, both the Division for Oceans Affairs and the Law of the Sea and the Division for Sustainable Development, for their assistance.

The draft resolution recalls the importance of the oceans and seas for the well-being of present and future generations and emphasizes the interrelated nature of all aspects of oceans and seas and their need to be considered as a whole. The fact that the United Nations Convention on the Law of the Sea sets out the legal framework within which all activities in the oceans and seas must be carried out is recognized, as also acknowledged in Chapter 17 of Agenda 21. The important role played by international organizations in ocean affairs and in promoting sustainable development is noted, as is the contribution of major groups identified in Agenda 21. The draft resolution welcomes the review of the theme of "oceans and seas" by the Commission on Sustainable Development and endorses its recommendations on the subject of international cooperation and coordination.

The crux of the draft resolution is set out operative paragraphs 2 and 3. Operative paragraph 2 establishes an open-ended informal consultative process to facilitate the General Assembly's annual review of developments in ocean affairs. This consultative process will meet to consider the Secretary-General's report on oceans and the law of the sea and will suggest particular issues to be considered by the Assembly, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced.

Operative paragraph 3 sets out a number of matters relating to the organization of the meetings of the consultative process, namely: participation, duration and timing, matters to be taken in to account within the process, the chairmanship of the process, the format for the meetings, input from major groups and the link between the consultative process and the General Assembly's annual review. The meetings of the consultative process in the year 2000 will take place from 30 May to 2 June.

The importance of participation by developing countries, including least developed countries and small island developing States, is highlighted, and States and international organizations are encouraged to support efforts to that end. In order to facilitate the consultative process the Secretary-General is requested to make his annual comprehensive report available in advance of the consultative-process meeting and to include in the report suggestions of initiatives that could be undertaken to improve coordination and cooperation and to achieve better integration. The General Assembly will review the effectiveness and utility of the consultative process in three years' time.

Operative paragraph 8 carries forth the recommendations of the Commission regarding coordination at the inter-agency level. The Secretary-General is requested to undertake measures both with regard to coordination between relevant parts of the Secretariat and the United Nations system and with regard to the Administrative Committee on Coordination's Subcommittee on Oceans and Coastal Areas.

Operative paragraph 9 acknowledges the importance of coordination at the national level in order to promote an integrated approach.

Operative paragraph 10 requests the Secretary-General to bring the resolution to the attention of relevant intergovernmental organizations, specialized agencies and funds and programmes. The participation of these organizations and bodies both in the consultative process — as provided for in operative paragraph 3 (a) — and in the preparation of the Secretary-General's report is crucial if the consultative process is to be a success.

Operative paragraph 11 invites Member States to likewise encourage intergovernmental organizations to participate and to contribute to the Secretary-General's report.

It is hoped that the consultative process will considerably enhance this Assembly's ability to review developments in ocean affairs and the law of the sea. It should also, over time, lead to better coordination of the many-faceted activities being carried out by the international community on, in and around the oceans, thus promoting the integrated approach that is at the heart of the Convention.

I commend this draft resolution for adoption without a vote.

Mr. Naidu (Fiji): I have the honour to make this statement on behalf of the following South Pacific countries: Australia, the Marshall Islands, the Federated States of Micronesia, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu and my own country, Fiji.

For obvious reasons, the ocean is of immense importance to the South Pacific Group. We are a diverse group of countries separated by great distances. Despite this, we all share a common bond: the Pacific Ocean. The countries of our region are custodians of a great

expanse of the world's oceans, and our joint responsibility over this vast area unites us in a common purpose. The collective exclusive economic zones of the 16 South Pacific Forum countries amounts to more than 30 million square kilometres. The ocean is our traditional provider, and for many of us its bounty continues to be the principal resource for our continued economic survival.

We are concerned that, despite all the efforts that have been undertaken in recent decades by the international community to achieve the effective development and management of the oceans, the state of the oceans in many parts of the world remains precarious.

We consider that the annual review by the General Assembly of the developments in ocean affairs and the law of the sea is very important, and the South Pacific Group has always taken an active and constructive part in this review. The General Assembly is the only body within the United Nations family that can bring together all the complex and interrelated aspects of ocean governance, and we believe it should do so in a way that takes into account the views of all the various sectoral interests and actors. We also think the General Assembly should encourage the input and involvement of the wider oceans community. Given that the General Assembly is the only place in the international system where such a regular and comprehensive review takes place, it is crucial that it respond to the challenges posed by its responsibilities in this area.

The legal foundations for our work are very sound, and with the increasingly wide acceptance of the Convention on the Law of the Sea they are becoming more and more deeply rooted. However, this on its own is clearly not enough. As the Secretary-General of the International Seabed Authority and former Ambassador of my country, Mr. Satya Nandan said in this debate last year,

"The establishment of the rule of law, albeit a major achievement, is not an end in itself, but a means towards a more orderly and rational use of the oceans and their resources." (A/53/PV.69, p. 33)

The legal framework provided by the Convention sets up a complex and interrelated network of international organizations and agencies, each with its own particular tasks, mandates and responsibilities. We are at the stage where these organizations and States are striving to implement the Convention and to carry out a diverse range of economic, scientific, environmental and technical

activities on the basis of its provisions. In addition, there are a considerable number of separate conventions and treaties related to the use and protection of oceans and seas, with their organizations and agencies, which fit within the overall framework provided by the Convention.

The result is incredibly complicated, and it is difficult to get a coherent picture of all the developments and how they relate to each other. Suffice it to say that there are many different players with responsibilities relating to the oceans, including the International Maritime Organization, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization, the International Hydrography Organization, the United Nations Environment Programme, the United Nations Development Programme, the International Seabed Authority, the World Meteorological Organization, the World Health Organization, regional fisheries management organizations and regional environmental organizations.

The complex nature of the activities being carried out is reflected in the Secretary-General's annual comprehensive report. The report, which this year runs to some 100 pages, provides a broad and far-reaching summary of developments in the area of oceans and the law of the sea over the past year, and includes aspects such as peace and security issues, navigation, marine living resources, marine non-living resources, the protection of the environment and marine-science issues.

The General Assembly needs to review all these developments in an integrated and holistic manner. Individual sectors of the oceans community tend to become immersed in their particular activities and are often unaware of developments and activities in different sectors, even when these activities overlap. Without proper coordination and an integrated approach, there is a risk of ineffective and inappropriate policy-making and action based on sectoral considerations that may not accord with the overall aims and needs of the international community and the balance of interests in the Convention. We need each year to take an overview of all the work that is being carried out within this complex framework — to take stock of what has been achieved and to consider whether there are any problems, gaps or overlaps which could be addressed.

In this regard, the South Pacific Group of countries is very pleased to have been actively involved in efforts that have taken place over the past year to improve the

ability of the General Assembly to conduct its annual review by providing a forum in which this type of integrated and practically focused discussion can take place.

This issue was one of the main subjects of discussion in the Commission on Sustainable Development's review of the theme of "Oceans and seas", which took place earlier this year under the chairmanship of the New Zealand Minister for the Environment, Mr. Simon Upton. The Commission was able to make a number of action-oriented recommendations designed to improve international cooperation and coordination at both the intergovernmental and the inter-agency levels. In particular, the Commission recommended that an open-ended consultative process be established under the aegis of the General Assembly to facilitate the General Assembly's review.

Since the Commission's session in April and the adoption of its recommendations by the Economic and Social Council, the South Pacific Group has worked with other lead co-sponsors on the preparation of a draft resolution under sub-item (c) of agenda item 40, which puts into place the recommendations of the Commission on Sustainable Development on international cooperation and coordination of oceans-related issues. This draft resolution was elaborated in a series of open-ended informal consultations under the able co-chairmanship of Navid Hanif of Pakistan and John Holmes of Canada. We would like to thank both co-Chairmen for the very valuable role they played in coordinating the discussions, as well as all delegations for their participation and constructive involvement in this endeavour. We believe that the draft resolution before us today provides a very sound basis for the establishment of the oceans consultative process, which will hold its first session from 30 May to 2 June 2000.

The South Pacific Group looks forward to participating effectively in the meetings of the oceans consultative process. As the draft resolution notes, effective coordination at the national level is essential to an integrated approach at the international level. Accordingly, our preparations for the oceans consultative process will need to involve all the relevant agencies which are engaged in oceans issues at the domestic level. We will also be endeavouring to involve relevant regional organizations in the process, such as the Forum Fisheries Agency and the South Pacific Regional Environment Programme, as well as appropriate bodies from civil society. We note that the draft resolution provides for the Secretary-General's annual report on oceans and the law of the sea to be made available in advance of the session of the oceans

consultative process and that it requests the Secretary-General to complement the report with suggestions on initiatives that could be undertaken to improve coordination and cooperation and to achieve better integration.

We hope that the co-chairpersons of next year's meetings of the oceans consultative process will be appointed at an early stage so as to enable them to carry out all the necessary preparatory work to ensure the meetings' success. We cannot afford to waste valuable meeting time discussing preparatory and organizational issues. With regard to the appointment of the co-chairpersons, the draft resolution notes the need to have representation from both developed and developing countries. We would further suggest that one of the co-chairpersons have experience on sustainable development and practical oceans management, while the other be an international lawyer with a good background in the law of the sea.

Before closing, I would like to thank the coordinators of the other two draft resolutions before us today, one under item 40 (a) on oceans and the law of the sea and the other under item 40 (b) on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The South Pacific Group takes a close interest in both these draft resolutions. We particularly note the reference in the draft on oceans and the law of the sea to the need for small island developing States to be given assistance in the preparation and publication of charts, as required by the Convention. We also welcome the decision of the Commission on the Limits of the Continental Shelf to convene an open session next year to familiarize interested States with the Commission's work and with what is involved in submitting a claim to the Commission.

With regard to the draft resolution on the Agreement on straddling stocks, we are pleased to be able to announce that additional members of our group have ratified the Agreement over the past year and that others are in the final stages of completing the necessary domestic steps to allow ratification. In addition, work has been under way over the last three years on the negotiation of a fisheries management regime for tuna in

the Western and Central Pacific. This management regime should give effect to the straddling stocks Agreement and incorporate the principles on which it is based, such as the precautionary principle, the principle of cooperation and

the promotion of the long-term conservation and sustainable use of stocks.

The meeting rose at 1.10 p.m.

**General Assembly**

Fifty-fourth session

61st plenary meetingMonday, 22 November 1999, 3 p.m.
New York*Official Records*

President: Mr. Gurirab (Namibia)

*In the absence of the President, Mr. Baali (Algeria),
Vice-President, took the Chair.*

The meeting was called to order at 3.10 p.m.

**Report of the Secretary-General (A/54/429
and Corr.1)**

Draft resolution (A/54/L.32)

Agenda item 40 (continued)

Oceans and the law of the sea

(a) Law of the sea

**Report of the Secretary-General (A/54/429
and Corr.1)**

Draft resolution (A/54/L.31)

**(b) Agreement for the Implementation of the
Provisions of the United Nations Convention
on the Law of the Sea of 10 December 1982,
relating to the Conservation and Management
of Straddling Fish Stocks and Highly
Migratory Fish Stocks**

Report of the Secretary-General (A/54/461)

Draft resolution (A/54/L.28)

**(c) Results of the review by the Commission on
Sustainable Development of the sectoral theme
of "oceans and seas"**

Mr. Donigi (Papua New Guinea): I endorse the comprehensive statement made by the Permanent Representative of the Republic of Fiji on behalf of the member countries of the South Pacific Group (SOPAC), including my own country, and the statements introducing the draft resolutions made by Finland, the United States and New Zealand. We have co-sponsored all these draft resolutions because we attach great importance to all matters concerning the oceans and the seas and we look forward to future developments in the follow-up to the resolution to be adopted by the Assembly.

We note that the delegations here have agreed to the SOPAC recommendation for a reference in the draft resolution contained in document A/54/L.31, entitled "Oceans and the law of the sea", under agenda item 40 (a), dealing with assistance to developing countries in the preparation and lodgement of the charts as required by the Convention on the Law of the Sea. This is a critical area that requires joint efforts from both the developed and developing countries.

We note that the need for assistance in the field of fisheries management is also adequately covered by the draft resolution contained in document A/54/L.28, under agenda item 40 (b). We note that there has been disagreement about the need for the regulation of



fisheries activities in the Southern Ocean, which is primarily an international body of water, and we call for greater measures to be undertaken and agreed to at the global level involving all interested parties. If we, the coastal States, are expected to sustainably manage our exclusive economic zones, then the reciprocal principle is that those with the means to exploit the high seas indiscriminately should also apply stringent precautionary measures and management tools. We firmly believe in the principle of sustainable development for the benefit of all humankind in the international area. This also involves the curtailment of access so as to replenish the ocean environment.

We note that after much debate, compromises were able to be reached for the draft resolution contained in document A/54/L.32, on international coordination and cooperation at both the intergovernmental and inter-agency levels, under agenda item 40 (c). We are deeply grateful for the work undertaken by Mr. Hanif of Pakistan and Mr. Holmes of Canada in coordinating and co-chairing the consultations which resulted in the draft resolution before the General Assembly. We join the previous speaker in saying that the consultative process cannot work effectively unless the two co-chairs of the process are appointed as soon as possible to give them adequate time to consult with delegations regarding the format of the meetings. This task of appointing the co-chairs has been left, in principle, to the discretion of the President of the General Assembly. In this regard, we look forward to starting consultations as early as possible and pray that the President will be able to make an announcement before the end of this year.

We commend the draft resolutions to the General Assembly.

Mr. Yel'chenko (Ukraine): In consideration of the long list of speakers on this important item, I will not present all of the points contained in Ukraine's written statement. However, I would ask my fellow delegates to consider all the points made in the written statement.

These final weeks approaching the millennium naturally lead us to think about what may be considered some of the lasting achievements of the century, as well as the problems we must surely face in the next one. The United Nations Convention on the Law of the Sea stands as one of the greatest achievements of our recent past. The importance of the principle embodied in the Convention — that a comprehensive legal regime had to be developed since the problems of ocean space are closely interrelated and need to be considered as a whole — is proving to be

even more evident today than it was at the time of the Convention's adoption.

Looking towards the challenges of the future, we do not consider it premature to begin thinking about the provisions of article 312 of the Convention, which, *inter alia*, contain the notion of the "amendment conference", which may be convened 10 years from the date of the Convention's entry into force. States parties may propose specific amendments to this Convention and request the convening of an amendment conference to consider them.

As the Convention entered into force on 16 November 1994, 16 November 2004 is 10 years after the date of entry into force. I am certainly not proposing to start preparations for such a conference. My only intention is to remind the United Nations, and the States parties to the Convention in particular, that we should be aware both of the opportunity to make the Convention more responsive to important issues which should be more fully addressed and of the potential dangers to the delicate balance of the Convention.

We should not forget that, on the basis of the Convention, during the last quarter of a century a number of new agreements — bilateral, regional and global — have been adopted. They have sprung from the Convention like branches from the trunk of a tree. New issues have certainly arisen, and will continue to arise, from various uses of the oceans.

The General Assembly is the global institution with the competence to look at ocean affairs in a coordinated manner, integrating all aspects of ocean uses: political, legal, economic, social, environmental and technical. No other institution is in a position to have an overview of the holistic nature of ocean-related matters. The General Assembly is assisted in the consideration of these matters by the Secretary-General, through the Division for Ocean Affairs and the Law of the Sea, in cooperation with other relevant parts of the Secretariat. The idea of a core unit servicing the General Assembly in its coordination tasks is a very important one, and the Assembly relies on the comprehensive report prepared by the Secretary-General through the Division for Ocean Affairs and the Law of the Sea. In dealing with ocean affairs in an integrated manner, this report is not only a reflection of the basic principle of the Convention, it is in itself a powerful tool that facilitates international cooperation and coordination. We express our special appreciation to the Secretary-General for both the quality and scope of this most valuable report.

We welcome the establishment of the open-ended informal consultative process proposed to facilitate the General Assembly's annual review of developments in ocean affairs. We hope to play an active role in this process and would expect it to accomplish three basic purposes.

First, the United Nations Convention on the Law of the Sea provides the framework within which all activities in the field of oceans and seas must be carried out. This framework is an integrated whole; it must be maintained, strengthened and built upon. Any trends in ocean-related matters that prove inconsistent with this framework must be brought to the attention of the General Assembly.

Secondly, within the framework provided by the Convention, the needs of the times will evolve and become clear. New issues will be emerging; certain persistent old issues may require additional effort to achieve results before it is too late; new necessities may have to be met. We will expect the consultative process to provide guidance to the General Assembly about such emerging issues.

Finally, the third area where the consultative process may prove useful is the identification of the centrifugal forces that have the potential to erode the integrity of the international ocean order established by the Convention. In this context, the consultative process may make the General Assembly aware of the necessity of ensuring conformity and consistency among instruments that appear to be proliferating rapidly and without sufficient harmonization.

On 26 July 1999, my country finally deposited the instrument of ratification of the Convention. This action confirms Ukraine's full-fledged participation in international cooperation in matters of ocean affairs and the law of the sea. For Ukraine, the Convention has always been among the high legal priorities. In fact, for many years now Ukraine has been ensuring the strict observance of the provisions of the Convention at the national level. It undertook successive efforts to make national legislation consistent with the international legal regime established by this comprehensive document. Now the Convention itself is an integral part of our national legislation.

The particulars of Ukraine's declaration upon ratification, made in accordance with article 310, as well as articles 287 and 298 of the Convention, may be found in paragraphs 13, 19 and 20 of the Secretary-General's report. Therefore, I will not repeat the details, except to say that as a geographically disadvantaged country bordering a sea poor in living resources, Ukraine has

reaffirmed the necessity to develop international cooperation for the exploitation of the living resources of economic zones on the basis of just and equitable agreements that should ensure access to fishing resources in the economic zones of other regions and subregions. With reference to article 292, Ukraine recognized the competence of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews.

Turning now to the report of the Secretary-General (A/54/429), allow me first of all to note the recent achievements of the institutions created under the Convention.

We note with satisfaction that the International Seabed Authority has made further progress in finalizing the draft seabed mining code. We hope that the consideration of this draft set of rules, regulations and procedures for the conduct of activities in the Area will be completed during the next few sessions of the Authority.

Ukraine attaches great importance to the work of the international judicial institutions, in particular the International Tribunal for the Law of the Sea. We consider the judgement rendered by the Tribunal on 1 July in the M/V "Saiga" case — its first judgement on the merits — an important occasion in the implementation and promotion of international maritime law. Ships must be secure from unlawful arrest and other arbitrary practices which threaten free merchant shipping, and the Tribunal is essential in restoring the rights of injured parties. In this connection the significance of the Geneva Diplomatic Conference on Arrest of Ships cannot be understated. Undoubtedly, achieving uniformity in this area is of paramount importance to international shipping and trade.

In regard to the Commission on the Limits of the Continental Shelf, we were pleased to see the final adoption by the Commission this year of the Scientific and Technical Guidelines and annexes thereto, which should greatly assist interested coastal States regarding the technical nature and scope of the data and information which is to be submitted to the Commission concerning the outer limits of their continental shelves in areas where those limits extend beyond 200 nautical miles. Given that the deadline for such submission is ten years after the entry into force of the Convention for the submitting State, the Commission should be receiving such

submissions in the near future, marking another important step toward full implementation of the Convention.

The issue of fisheries is extremely important to Ukraine. We cooperate with the coastal States of many regions on issues of conservation and the rational utilization of living resources. It gives me pleasure to announce that this year Ukraine joined the Northwest Atlantic Fisheries Organization.

Ukraine continues to improve its navigation management system. A new organizational and functional structure on the safety of navigation is being introduced in our country.

We support the efforts of coastal States to improve the conditions of navigation, especially in waterways used for international navigation. It should be emphasized, however, that these efforts should be undertaken in a spirit of cooperation and should take into consideration the needs and interests of all States concerned. The measures taken for improvement of navigation should be in line with the legal obligations of States under the relevant international instruments. Coastal States should avoid any discriminatory practices in the treatment of foreign vessels entering their ports.

In summary, we particularly welcome the steps taken to enhance the effectiveness of the Assembly's annual debate on oceans and the law of the sea, and we look forward to full participation in the consultations that will take place on this crucial issue. We believe that the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, by virtue of the special responsibilities of the Secretary-General under the Convention, and the oversight role of the General Assembly continue to play a pivotal role in this important process by reviewing and monitoring all developments relating to the law of the sea and ocean affairs. We commend the Division for a job well done.

Mr. Kolby (Norway): The United Nations Convention on the Law of the Sea represents an important milestone in the efforts to establish an international rule of law. The challenge before us now is to ensure implementation of, respect for and knowledge of the overall legal framework it represents for all peaceful uses of seas and oceans.

The three institutions created by the Convention are now well established, and we welcome their further substantive work. The International Seabed Authority has

completed its first reading of the draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. There is now a need for early approval of this code for the Authority to be able to enter into contracts for exploration with the seven registered pioneer investors whose plans of work were approved by the Council of the Authority in 1997. We would also like to underline the importance of the completion of a set of draft guidelines for the assessment of the possible environmental impact arising from the exploration for polymetallic nodules.

The International Tribunal for the Law of the Sea has, through its judgements and deliberations on the M/V "Saiga" case and the Southern Bluefin Tuna case, shown its readiness to handle cases in a prompt and effective manner. As regards the Commission on the Limits of the Continental Shelf, we are pleased to note the adoption of the Scientific and Technical Guidelines to provide assistance to coastal States regarding the technical nature and scope of the data and information which they have to submit to the Commission. In light of the complexity of the issues involved it seems reasonable to offer training to develop the knowledge and skills for preparation of the submissions. We welcome the decision of the Commission to convene an open meeting during its seventh session next year with a view to familiarizing representatives of coastal States with the necessity of implementing the provisions of article 76 of the Convention. However, in convening such a meeting the Commission should pay strict attention to standards of objectivity and professionalism.

The International Maritime Organization (IMO) has been given crucial functions in the implementation of the Convention. We welcome IMO's substantial work in regulating the prevention and pollution of the marine environment from ships. Norway has supported the development of an international instrument to prohibit the use of harmful anti-fouling paints from ships. Furthermore IMO's work on preparing an international convention for liability and compensation for damage caused by oil from ships' bunkers, constitutes, in our view, a generally acceptable solution to this problem.

As mentioned by the Secretary-General in his report (A/54/429), the poor human health and environmental conditions at some of the major sites for scrapping of ships have lately focused public attention on an industry which was formerly self-regulatory. Norway has expressed its concern on this matter and considers IMO to be the international body best suited to assess and

solve the problem by developing an international regime, taking due consideration of other relevant international regimes. Therefore, in cooperation with other States, we have proposed to include scrapping of ships on the work programme of the Marine Environment Protection Committee. We are most satisfied with the IMO decision to put this item on its work programme, and we will do our part to facilitate further work by the organization on this matter.

The continued increase in acts of piracy and armed robbery against ships is alarming and a matter of great concern to the shipping industry. We agree with the Secretary-General that it is particularly disturbing to note that the degree of violence experienced in piratical attacks has also been escalating. We have taken due note of IMO's objective to promote within the next decade the intensification by Governments and industry of efforts to prevent and suppress unlawful acts which threaten the security of ships, the safety of those on board and the environment. The organization of regional seminars and IMO missions of experts to areas most affected is the right way to proceed in this regard.

An important part of a flag State's responsibility is to ensure the appropriate manning of ships. Most accidents at sea are caused by human error. It is therefore important that efforts to improve safety at sea focus on improving training and certification standards. We likewise concur with IMO's focusing on the effective implementation of the revised Convention on Standards of Training, Certification and Watchkeeping for Seafarers and the International Safety Management (ISM) Code. We look forward to receiving the report containing the evaluation of information communicated to IMO about this. We are pleased to learn that as of 1 July 87 per cent of the relevant ships have reportedly received the necessary ISM certification.

The work within the United Nations in Vienna to elaborate a convention against transnational organized crime and additional protocols is extremely promising with regard to achieving real progress in combating organized smuggling. The protocol on smuggling of migrants envisages an important provision concerning smuggling by sea. It is vital, however, that the relevant provisions of the United Nations Convention on the Law of the Sea be fully respected in the realization of this work.

Norway reserves its position with regard to the desirability of the proposed agreement on the protection of underwater cultural heritage under discussion at the United

Nations Educational, Scientific and Cultural Organization (UNESCO). The draft text still contains regulations on important jurisdictional issues that are not in conformity with the principles of the Convention. It is of principal importance to avoid any new regulations that could disturb the carefully balanced package of jurisdiction in maritime areas reflected in the Convention. This package was the result of nine years' complex negotiations. In any case, it would be premature — only five years after the entry into force of the Convention — to adopt new regulations on jurisdictional issues that depart from the Convention while the potential of the relevant article of the Convention — that is, article 303 — has not yet been fully utilized. It is imperative that new regulations for the protection of the underwater cultural heritage be in full conformity with the relevant provisions of the Convention, including those concerning the rights and jurisdiction of the coastal State and the rights and freedoms of other States in the exclusive economic zone and on the continental shelf, and those concerning the freedom of the high seas. Consensus on this point is essential if a draft text is to be considered for adoption.

Norway still reserves its position with regard to whether or not UNESCO is the appropriate forum for the negotiation and adoption of such an agreement. We are concerned by the proliferation of negotiating processes and decision-making in a number of international bodies, as well as the conclusion of new international agreements with direct relevance to the international order of the seas. Norway is persuaded that the General Assembly can and should provide necessary guidance and coordination through the debate of the agenda item now under consideration.

The review by the Commission on Sustainable Development of the progress achieved in the implementation of the sectoral theme "oceans and seas" of chapter 17 of Agenda 21 resulted in a comprehensive set of recommendations to be considered under this year's debate on oceans and the law of the sea. The Commission highlighted as a matter of priority the need for better international coordination and cooperation in ocean affairs. In our view, the purpose of the informal consultative process that we are about to launch must be to improve the coordination and cooperation within United Nations system and related agencies, rather than creating new ocean institutions or mechanisms.

It remains fundamental that the Convention is the legal framework within which all activities in this field must be considered. The informal consultative process

could prove useful in highlighting and giving new inputs to the important achievement that the Convention represents with respect to the protection and preservation of the marine environment and the conservation and management of the living resources of the sea. An early review of the utility and effectiveness of the informal consultative process is essential in this regard.

A sound development of fisheries resources is of fundamental significance to Norway. However, fisheries management has not yet sufficiently protected resources from being overexploited. This is the case even though the problems of fishery management are widely recognized and have been given particular attention through the adoption of the United Nations Agreement on Fish Stocks and the Code of Conduct for Responsible Fisheries. The main reasons for this situation seem to be linked to a lack of political will to make difficult adjustments, a lack of control of fishing fleets by flag States and the continued use of destructive fishing practices. It is a serious matter when assessments from the Food and Agriculture Organization of the United Nations show that over 35 per cent of the world's major fisheries resources are showing declining yields.

Norway was among the early ratifiers of the United Nations Agreement on Fish Stocks. We are concerned that today, almost four years after its adoption, it has still not entered into force. We urge other States to ratify and implement the Agreement as soon as possible. At the same time, however, it ought to be stressed again that the status of fisheries on the high seas is in certain cases so alarming that we cannot await the entry into force of the Agreement in order to take action. Unregulated fisheries need to be brought under control, and this is a precondition for the sustainable development of fisheries.

Norway therefore welcomes and strongly supports the various initiatives taken and the measures adopted by several regional fisheries organizations to combat unregulated fisheries on the high seas. These measures seem to indicate a positive trend in regional fisheries management. The scheme adopted last year by the North East Atlantic Fisheries Commission is significant. It prescribes control and enforcement measures in respect of vessels in areas beyond the limits of national fisheries jurisdiction in the Convention area. One of the most important measures in the scheme is the so-called vessel monitoring system. When these measures are implemented, by January next year, the North East Atlantic Fisheries Commission will be the first regional fisheries organization to have fully automated and computerized satellite tracking

of fishing vessels. The catch documentation system for Patagonian toothfish adopted at the recent annual meeting of the Commission for the Conservation of Antarctic Marine Living Resources is another important step forward in combating unregulated fisheries.

The measures adopted by the North East Atlantic Fisheries Commission and the Commission for the Conservation of Antarctic Marine Living Resources are important additions to the scheme adopted by the Northwest Atlantic Fisheries Organization (NAFO) at its annual meeting in 1997. The scheme promotes compliance by non-contracting party vessels with the conservation and enforcement measures established by the organization. It has already proved to be an effective tool against unregulated fisheries in the NAFO regulatory area.

In an attempt to further discourage unregulated fisheries on the high seas, Norway has established a regulation stating that an application for a licence to fish in the Norwegian economic zone may be denied or withdrawn if the vessel in question, or its owner, had participated in unregulated fisheries on the high seas on fish stocks subject to regulation in waters under Norwegian fisheries jurisdiction. This provision, *inter alia*, implies that a given vessel also may be denied a fishing licence in Norwegian waters if it is operated by others than those who participated in the unregulated fishery. This year these regulations were amended again to include fishing operations that contravene regulatory measures laid down by regional fisheries organizations. As it reduces the secondhand market value of the vessels that have participated in unregulated fisheries, it has proved to be an effective tool in combating unregulated fisheries.

Let me conclude by stressing that harmful fishing practices and unwanted catch are major problems affecting marine biodiversity. There is a need to look closer into the adoption of management measures that can reduce this problem, such as closed seasons, closed areas and legal minimum fish sizes. Norway is strongly concerned about the problem of by-catch and discards, and we will seek to advocate measures that could contribute to eliminating this problem.

Mr. Lee See-young (Republic of Korea): At the outset, my delegation wishes to express its appreciation to the Secretary-General and the staff of the Division for Ocean Affairs and the Law of the Sea for the informative and comprehensive report entitled "Oceans and the law

of the sea" (A/54/429). This annual report, covering a wide spectrum of issues concerning oceans and the law of the sea in the framework of the United Nations Convention on the Law of the Sea, serves as a valuable resource for an in-depth, overall review of all relevant developments and issues relating to oceans and the law of the sea.

The 1982 United Nations Convention on the Law of the Sea and the Agreement relating to the implementation of Part XI of the Convention form the cornerstone of United Nations efforts to resolve problems relating to oceans and the law of the sea. They constitute a basis for the development of a new maritime order for the international community. My delegation is pleased to note that five more States ratified the 1982 Convention during the period covered by the report. The number of parties to the Convention has now reached 132, including one international organization. This number represents approximately 77 per cent of all coastal States, and it clearly reflects an overall trend towards near-universal participation in, and adherence to, the legal regime established by the 1982 Convention. Given the pivotal role of the Convention in the preservation of marine living resources, the protection of the marine environment and the promotion of the peaceful settlement of maritime disputes, its universal acceptance is essential, and all those States that have not yet done so are called upon to accede to the Convention as soon as possible.

The Republic of Korea welcomes the substantive progress made in the past year by the institutions established under the 1982 Convention, namely the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf. My delegation is particularly pleased to note the steady progress made thus far by the International Seabed Authority. The Authority dealt with several important agenda items at its fifth session, held in August this year. It approved, among other things, the Agreement between the International Seabed Authority and the Government of Jamaica relating to the headquarters of the Authority, and it adopted the Financial Regulations of the Authority.

The pinnacle of the Authority's work up to now has been the significant headway made in the consideration of the draft mining code, which is of the utmost importance for the establishment of an overall legal framework for the exploration of deep seabed polymetallic nodules. Now that the Council of the Authority has completed the first reading of the draft mining code at its fifth session, my delegation expects that the mining code will be adopted at the sixth

session next year, as planned. I take this opportunity to commend Mr. Nandan, Secretary-General of the Authority, for his highly competent leadership in successfully guiding this organization to meet the tremendous challenges it is now faced with. As a member of the Authority's Council and Vice-President of its Assembly, my country participated actively in all aspects of the Authority's work at its fifth session. As a registered pioneer investor, my country has also faithfully fulfilled its obligations under the Convention and the Agreement, such as the provision of training programmes, the gradual relinquishment of the pioneer area and the submission of periodic reports on activities in the pioneer area.

We acknowledge with satisfaction that the International Tribunal for the Law of the Sea, now fully operational, has demonstrated professional expertise and efficiency in dealing with the cases brought before the Tribunal. We hope that the Tribunal will continue to strengthen its role as an effective international judicial organ dedicated to resolving maritime disputes. In this context, my delegation calls upon all States parties to the Convention to pay greater attention to the financial situation of the Tribunal with a view to enabling it to carry out its functions to the fullest possible extent as provided for in the Convention.

My delegation is also pleased to note that the Commission on the Limits of the Continental Shelf adopted at its sixth session the Scientific and Technical Guidelines, which will assist coastal States in preparing their submissions concerning the outer limits of the continental shelf.

As the Secretary-General's report notes, acts of piracy, armed robbery against ships and other increasingly violent crimes at sea continue to pose a serious threat to the international community as a whole. These nefarious acts can seriously disrupt passage through important waterways, cause great concern to the shipping community and threaten the safety of life at sea and the marine environment. Although the number of incidents in 1998 decreased slightly compared with 1997, attacks by pirates and armed robbers have become more violent, resulting in the death of innocent crew members. In strong support for the initiatives taken by the International Maritime Organization in this area, my delegation urges all States concerned, and in particular coastal States in affected regions, to take all necessary measures to prevent, combat and investigate incidents of

piracy and armed robbery at sea, with a renewed emphasis on prevention at the regional level.

In order to secure the effective implementation of the Convention, my Government has promulgated and enacted such national legislation as the Exclusive Economic Zone Act, the Exclusive Economic Zone Fisheries Act and the Marine Scientific Research Act. The Territorial Sea and Contiguous Zone Act and the Marine Pollution Prevention Act have been promulgated as well. Taking into account the need to develop an integrated approach to the problems of ocean space, my Government further enacted the Coastal Zone Management Act last February with the goal of effectively and comprehensively managing coastal areas.

My delegation believes that inter-State cooperation is another indispensable factor for the effective implementation of the Convention. In this regard, we welcome the new bilateral fisheries agreement between the Republic of Korea and Japan, which came into effect last January, replacing the former agreement of 1965. Another fisheries agreement, between my country and the People's Republic of China, was initialled in November last year; if concluded and implemented, it will help promote the rational management of fishing stocks in the seas between the two countries. In recognition of the growing importance of maritime delimitation, which provides legal stability and is certainly required for various ocean activities, negotiations are under way with neighbouring States on exclusive economic zone boundary delimitation.

In conclusion, I would like to reiterate the willingness of my Government to extend its full cooperation for the effective implementation of the United Nations Convention on the Law of the Sea. I wish also to assure the Assembly of my Government's commitment to the promotion of an orderly ocean regime in a spirit of mutual understanding and cooperation, as enshrined in the Convention.

Ms. Flores Liera (Mexico) (*spoke in Spanish*): My delegation has the honour of speaking on behalf of the Rio Group on agenda item 40, entitled "Oceans and the law of the sea". We wish to thank the Secretary-General for his comprehensive report contained in document A/54/429. The number of matters addressed in the report enables us to see how complex and interconnected maritime issues are, and the how necessary it is to tackle them in an integrated manner.

Oceans and seas constitute the greater part of our planet, and it is crucial for the well-being of mankind that their resources be used in an orderly and sustainable way.

The preservation of life on Earth depends on their protection. Hence, international cooperation and coordination in dealing with maritime issues are of special importance.

The General Assembly understands that importance and considers this item each year, promoting the search for common solutions to shared problems. Unfortunately — and owing to the limited duration of the debate — we do not have the time we need to study in depth the substance of the report of the Secretary-General.

In its review of the sectoral theme of "oceans and seas", the Commission on Sustainable Development (CSD) studied the progress achieved in the implementation of chapter 17 of Agenda 21 and, *inter alia*, noted the need to make use of existing structures to promote an integrated approach to ocean issues, and to improve coordination and cooperation at the intergovernmental and inter-institutional levels. The Commission stressed the importance of international cooperation to ensure that all countries can benefit from the sustainable use of the oceans and seas, with due respect for the sovereignty, jurisdiction and sovereign rights of coastal States.

As a result of its review, the Commission on Sustainable Development recommended the establishment of an open-ended informal consultative process in order to improve the effectiveness of the annual review by the General Assembly of developments on oceans and the law of the sea. That process would not aim to duplicate the debates that take place in other forums, but to deliberate on the basis of the substantive report of the Secretary-General on this item and to try to identify areas where international cooperation and coordination could be enhanced. The Rio Group is convinced of the benefits of such a process, and has resolutely pressed for and supported its establishment.

We are pleased that today the General Assembly is welcoming the recommendations of the Commission on Sustainable Development on international cooperation and coordination and that it will be voting on a draft resolution by which it would establish this informal consultative process. We are convinced that its implementation in line with the parameters set out in CSD decision 7/1 will help to enhance the consideration of maritime and ocean issues, to avoid duplication of efforts, to promote the effective functioning of existing organizations with jurisdiction over maritime and ocean

issues, and in general to guarantee the orderly and sustainable use of sea resources in a spirit of dialogue and respectful negotiation. The Rio Group will participate in the consultative process with interest, and will continue to work towards achieving the objectives that are giving rise to its creation.

Mr. Kawamura (Japan): Surrounded by the sea on all its sides, Japan has long had a profound interest in the oceans and the law of the sea. Historically, the sea was a source of both anxiety and dreams for Japan. It was from across the sea that threats came, and it was also from across the sea that a new civilization was introduced to Japan. Once we directed our gaze outward to the world beyond our shores, it became necessary for us to control the sea as a traffic artery, for security purposes and for resources. Today, as the law of the sea has evolved, the seas are regulated, and it is incumbent upon us to manage them effectively.

Five years have passed since the entry into force of what has been dubbed the "constitution of the oceans", which is, of course, the United Nations Convention on the Law of the Sea and the Agreement relating to the implementation of Part XI of the Convention. Indeed, this is the unique overall legal framework within which all activities in this field must be considered. My delegation is very pleased to note that we now count 132 States parties to the Convention and 96 States parties to the Agreement. Since the legitimacy of the Convention cannot but increase with universal participation, and given the importance of the Convention for the effective management of the oceans and for the maintenance of peace, justice and progress for all peoples of the world, my delegation would like to appeal to other States to become parties to both the Convention and the Agreement.

In order to assure the effective implementation of the Convention, it is also important to maintain the unified character of the Convention. In this context, my delegation would like to emphasize the importance of harmonizing, as a matter of priority, national legislation of States parties with the provisions of the Convention, in order to ensure the consistent application of those provisions and to ensure also that any declarations or statements are in conformity with the Convention. My delegation therefore wishes that any declaration or statement that is not in conformity with the Convention will be withdrawn.

Let me turn now to the new treaty system of ocean institutions established under the Convention. So far as the International Seabed Authority is concerned, my delegation

would like to welcome the progress in the work realized so far. The most important substantive matter under consideration by the Council of the Authority concerns the draft Regulations on Prospecting and Exploration for Polymetallic Nodules, in short, the mining code. We are pleased to note that the Council finally completed the first reading of the draft code, which we hope will, after further readings, be adopted during the year 2000 so that the Authority can enter into contracts for exploration with willing investors. My delegation intends to take an active and constructive part in the consideration of the draft code, as has been its practice so far.

Japan is deeply concerned about the financial difficulties that the Authority and the International Tribunal for the Law of the Sea are currently facing. In order for the two institutions to fully and effectively discharge the important mandate that has been entrusted to them, it is necessary that all States parties to the Convention pay their assessed contributions. Japan would like to urge States to do so without delay.

Speaking of the Tribunal's financial matters, my delegation cannot but touch upon the question of a ceiling and a floor for the scale of assessments. During the ninth Meeting of the States Parties to the Convention, held in New York in May of this year, we had intensive discussions on this issue and finally decided to introduce a ceiling and a floor for the scale of assessments of States parties for the budget of the Tribunal for the year 2000. On this occasion, my delegation would like to express its gratitude to all delegations for their support in this regard.

As for the Commission on the Limits of the Continental Shelf, my delegation welcomes the progress made so far, including the adoption of the scientific and technical guidelines and annexes thereto aimed at facilitating the preparation of submissions regarding the outer limits of the continental shelf and the adoption of an action plan on training.

Let me now move on to the question of crimes at sea. Japan is deeply concerned, among other issues, about the problem of piracy and armed robbery, since Asian waters, and particularly the South China Sea and the Malacca Strait, are among the areas most affected. The increase in the number of incidents and the escalation of the degree of violence are sources of concern. To cope with this problem, international cooperation is indispensable. On this occasion, my delegation would like to urge all States, in particular

coastal States in affected regions, to take all necessary and appropriate measures to prevent and combat incidents of piracy and armed robbery at sea. Moreover, a thorough investigation of such incidents is also necessary in order to bring the perpetrators to justice. Japan stands ready to take every measure necessary to eradicate crimes at sea.

The draft resolution contained in document A/54/L.31 addresses a range of significant issues relevant to the law of the sea, some of which I have just touched upon. Deeply convinced of the importance of the United Nations Convention on the Law of the Sea and the Agreement relating to the implementation of Part XI of the Convention as an overall legal framework within which all activities pertaining to the oceans and the seas should be conducted, Japan wholeheartedly expresses its support for this draft resolution.

As Japan has historically relied heavily on living marine resources, it has a special interest in their conservation and sustainable utilization, an objective to which the Government of Japan has always been committed. Thus, we welcome the draft resolution on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, contained in document A/54/L.28, and we hope that it will be adopted by consensus.

Lastly, it goes without saying that all aspects of the oceans and seas are closely interrelated and need to be considered as a whole. From this viewpoint, Japan would like to commend the efforts made by the Rio Group, the South Pacific Group and other States in preparing the draft resolution contained in A/54/L.32, concerning the establishment of an open-ended informal consultative process in order to facilitate the annual review by the General Assembly of developments in ocean affairs. This is a timely and useful initiative, and it has Japan's full support.

Mr. Gomaa (Egypt) (spoke in Arabic): Allow me at the outset to convey our thanks to the Secretary-General for the comprehensive report on agenda item 40 in document A/54/429. In this regard, we reaffirm the importance of the role played by the Secretary-General concerning this item, particularly in view of his responsibilities under the Convention on the Law of the Sea regarding administering the Division for Ocean Affairs and the Law of the Sea and providing comprehensive annual reports and special reports.

The year covered by the report has witnessed important developments concerning the participation in and accession to the legal regime established by the United Nations Convention on the Law of the Sea of 1982. This Convention is indeed one of the most important international instruments concluded in modern times. Its entry into force in 1994 greatly strengthened the legal regime established by the Convention, a regime that had been observed even before the Convention's final adoption in 1982.

The best testimony to the importance that the international community attaches to the Convention is the increasing number of States acceding to it every year. The number of States parties now exceeds 130. We encourage the remaining members of the international community to accede to the Convention. We also urge the States parties to the Convention to make the declarations required under articles 287 and 298 regarding dispute settlement. The number of States that have made such declarations remains very low.

The three institutions provided for by the Convention — the International Seabed Authority, the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea — have already been established and are now operational. They have started to carry out the tasks entrusted to them. Egypt participated actively in the efforts that led to their establishment. We thus call upon the international community to begin implementing the legal regime established by the Convention. This should be done through the application of the Convention's provisions on the national level.

In this regard, we welcome the remark made by the Secretary-General in his report to the effect that there is an increasing tendency by States to adopt national strategies based on the principle of the integrated management of the oceans. This will assist States in adopting effective decision-making processes in this field on the national level.

Here we would like to stress the need to pay due attention to ocean resources, particularly since the preservation and protection of the marine environment is a responsibility borne by the international community as a whole. We note the activities undertaken by the International Tribunal on the Law of the Sea during the last year and encourage the parties in a conflict to resort to it to resolve their disputes.

We also pay tribute to the praiseworthy effort made by the International Seabed Authority last year in the elaboration of the mining code. We note that it has finished the first reading of the code. In view of the code's great importance for the establishment of rules for the exploitation of the seabed in a manner that would preserve the common rights to natural resources, it is our hope that the International Seabed Authority will be able in its next session to make progress towards reaching agreement on the code.

We also congratulate the Commission on the Limits of the Continental Shelf on its adoption of the Scientific and Technical Guidelines, which are intended to provide assistance to coastal States. We support the efforts of the Commission in dealing with the questions of training and the establishment of a trust fund to assist in financing the participation of the Commission's members from developing countries.

The Secretary-General notes in his report that maritime security is a challenge to most States, in particular to developing countries, and that there has been an increase in the number of crimes committed at sea. These include illicit trafficking in drugs and the smuggling of goods and persons, in addition to the increasing number of acts of piracy. All this requires us to remain vigilant.

In this regard, we pay tribute to the efforts of the ad hoc committee established subsequent to an Economic and Social Council resolution adopted in July 1998 and entrusted with drafting a comprehensive convention on combatting transnational organized crime. It is our hope that this ad hoc committee will discharge its tasks successfully next year, as we expect it to do, in view of the great contribution that such a convention could make to combating and eliminating such crimes.

The protection and strengthening of the economic and environmental value of the marine environment is one of the main objectives of the United Nations Convention on the Law of the Sea and is an integral part of its implementation. Regrettably, current studies reveal that, despite the increase in production by fish farms, future demands for fish will not be met unless the seas' and oceans' resources are better managed. It is to be noted that the current legal regime has not been able to protect the fish resources from being exploited at a rate higher than that of natural replenishment. This is due to the lack of political will on the part of some States to respect the quantitative rules on fishing and fishing methods. In particular, it is because citizens of these States resort to

large-scale pelagic drift-net fishing, which destroys both fish stocks and the marine environment.

We call upon all these States to observe and respect the 1995 Fish Stocks Agreement and the Code of Conduct for Responsible Fisheries. In addition, special rules on responsible trade in marine products should be formulated to complement this Agreement and the Code of Conduct.

As concerns the degradation of the marine environment, the report of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection has cited efforts made at the national level and successes achieved at the domestic level, particularly in reducing the amount of oil dumped by ships. Nonetheless, we remain concerned about the ongoing deterioration of the marine environment as a result of the dumping of hazardous and harmful substances: radioactive waste, sewage, oil and other polluting substances. We call for the promotion of international cooperation to ensure that this environmental pollution is halted. We also call for the strengthening of international norms in the field of the marine environment.

Here we would like to refer to the United Nations Environment Programme's Global Environment Outlook 2000, released 15 September 1999. This assessment concluded that the coastal marine environment is being seriously affected by alterations, over-fishing and pollution. The assessment also pointed out the fact that the ocean floor is no longer immune to pollution. There is evidence of ecological deterioration in some areas and of depletion of many marine species. In this regard, we reaffirm the importance of the strict observance of article 235 of the United Nations Convention on the Law of the Sea on international cooperation and the further development of such cooperation regarding responsibility, accountability and liability for the assessment of and compensation for damage and the settlement of related disputes. In this context, Egypt has taken a number of important steps to protect and preserve the marine environment, such as the promulgation of a number of environmental laws and decisions and the designation of some areas as nature reserves.

The question of underwater cultural heritage enjoys special attention in Egypt. We support the efforts of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to draft an international convention on this subject as soon as possible in order to protect that heritage. The convention must take into

account the rights of coastal States, in particular their jurisdiction over the underwater cultural heritage in their exclusive economic zones or within the limits of the continental shelf, in full compliance with the United Nations Convention on the Law of the Sea. It is our hope in this regard that the Director-General of UNESCO will be able to submit the draft resolution to the General Conference next year, particularly in the light of the technological progress that has made it possible to detect and salvage important artifacts of cultural heritage, even from the ocean floor.

Mr. Horoi (Solomon Islands): The Solomon Islands delegation welcomes the opportunity to participate in the debate on this very important agenda item. We are grateful to the Secretary-General for his comprehensive and valuable reports in documents A/54/429 and A/54/461. In addition, my delegation appreciates the efforts of those delegations involved in the negotiations on the three draft resolutions on this item. Solomon Islands is a co-sponsor of the three draft resolutions. We firmly believe that they focus on crucial areas of common concern requiring further international attention and action and thus deserve the support of the General Assembly.

Solomon Islands associates itself with the statement made by the Permanent Representative of Fiji this morning on behalf of the South Pacific Group of countries. We also would like to endorse the statement of the Alliance of Small Island States (AOSIS), which has yet to be made by the Permanent Representative of Samoa. I wish, however, to elaborate on some of the issues raised, in particular as they relate to the efforts and concerns of my country on this matter.

As was highlighted this morning, the peoples of the Pacific, including the Solomon Islands, are custodians of more than 30 million square kilometres of the Pacific Ocean, approximately one twelfth of our planet's ocean space. The oceans and seas, especially our exclusive zones, represent our most significant source of economic wealth and security. Our region is home to the largest tuna fishery in the world, but the benefits derived from the tuna industry are markedly minimal. Hence, our countries are undertaking sustainable strategies to become more active participants in the development of the industry and to enhance the region's share of the economic benefits from our oceanic resources.

The tuna industry represents 25 per cent of the Solomon Islands foreign exchange earnings. It is the single largest employer, with more than 2,400 employees,

including 500 women. The industry is operating within sustainable levels and there is potential for further expansion and investment. Coastal fisheries, on the other hand, while mainly subsistence, are critical to the health and welfare of our population. The Solomon Islands is among the countries with the highest per capita consumption of fish in the world. Our fish resource is therefore an indispensable source of food security for our people.

The pollution of our oceans and seas, the destruction of the marine ecosystem and its biodiversity, overfishing and the impacts of climate change and changing weather patterns threaten our people's livelihood and, indeed, the very survival of our fragile ecological environment. Many of these challenges are beyond the control of small island developing States like the Solomon Islands. It is therefore no surprise that the Solomon Islands attaches great importance to ocean- and sea-related issues.

We are particularly concerned with the continuing problem of illegal, unregulated and unreported fishing in the high seas and, in some cases, in zones under the national jurisdiction of coastal States. Over the last three years, the Solomon Islands has participated actively in the Multilateral High-Level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. The Conference has been negotiating a fisheries management regime for the Western and Central Pacific that will give effect to the straddling stocks Agreement.

Without coordinated international efforts, illegal, unregulated and unreported fishing will severely undermine the economic base, food security and, above all, human security of coastal States, and in particular small island developing States. In this connection, my delegation supports the urgent and effective implementation of paragraph 18 of decision 7/1 of the seventh session of the Commission on Sustainable Development, also endorsed by the Economic and Social Council. This decision is further highlighted in paragraph 257 of the Secretary-General's report in document A/54/429.

Recognizing the need to promote the sustainable development of our fisheries resources and the protection of the marine environment, the Solomon Islands has revised its laws relating to fisheries and enacted a 1998 Fisheries Act. This Act is consistent with the United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of

the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, both of which Solomon Islands has ratified.

The Act, moreover, includes provisions for the installation of the vessel monitoring system. The vessel monitoring system will allow our authorities to monitor the position of all vessels of distant water fishing nations fishing in our 1.34 million square kilometre exclusive economic zone. The installation of the system is not a license to fish. It is a cost-effective and efficient means of controlling fishing activities and the Solomon Islands views its use as a relatively minor imposition on operators from distant water fishing nations. Provided fishing vessels are doing the right thing, there should be no difficulty with this requirement. The Solomon Islands appreciates the cooperation of a number of distant water fishing nations in this exercise and calls on others to follow suit. We further encourage other countries in the region to legalize the use of the vessel monitoring system.

The establishment of fisheries management and development plans is also enshrined in our Fisheries Act. With technical assistance from the Forum Fisheries Agency, the Solomon Islands has developed a sustainable tuna management plan. The plan, one of the first of its kind in the region, provides clear policy guidelines and a transparent decision-making process for tuna fisheries. It also offers a framework for the sustainable use of our tuna resources, while maximizing the economic and social benefits to our people. International assistance, including finance, transfer of appropriate technology, management and marketing expertise, will be critical to the successful implementation of the plan. Human resource development and institution-building are equally essential and will continue to be our priorities.

Solomon Islands, moreover, is in the process of formulating an oceans policy, which will incorporate, *inter alia*, the established tuna management plan, the development of an integrated coastal zone management plan and the development of a national strategy for marine biodiversity conservation. The consultative process to develop an ocean act that will accommodate this policy is also under way. The act will attempt to integrate into one all the oceans-related legislation. The aim is to improve national coordination and management of oceans and seas matters.

Finally, the challenges facing our oceans and seas are matters of global concern and responsibility. While the International Year of the Ocean has highlighted the many problems facing our oceans and seas, much remains to be done to address them. The call for integrated efforts, especially at the international level, must be answered with decisive and constructive action.

It is timely and useful that we have before us a draft resolution designed to foster international coordination and cooperation on oceans. Solomon Islands strongly believes this draft resolution is a step forward in our collective resolve to tackle the myriad problems and issues related to good governance of the oceans. We look forward to participating actively in the meetings of the oceans consultative process. It is our collective obligation to ensure that future generations benefit as much as we do from the value of both living and non-living resources of our oceans and seas. Together, we can make this call a reality.

Mr. Mabilangan (Philippines): I must begin by expressing our appreciation to the Secretary-General for his two reports under this agenda item. These reports give all of us a good sense of how things stand on the oceans and the law of the sea and of the choices we have to make for the future. They also represent the increasing importance States are attaching to the oceans and the law of the sea. I would also like to thank the Division for Ocean Affairs and the Law of the Sea, the unit in the Secretariat primarily responsible for this agenda item, not only for its outstanding work on these reports, but also for its commendable actions and services every year on activities in the United Nations relating to oceans and the law of the sea.

One important aspect of our work in the context of oceans and the law of the sea relates to fisheries and the protection of the marine environment. In this regard, of particular significance for the Philippines are the norms relating to the responsibilities of the flag States of fishing vessels. The living marine resources in Philippine waters are currently under siege. Poaching and illegal fishing by foreign vessels have become rampant and threaten the sustainability of Philippine fisheries and the fishing sector. Our marginal fishermen and fishing communities are particularly affected. Their catches have been shrinking and their livelihood is threatened. The whole social and family well-being of a large number of my countrymen is in serious danger.

We therefore support efforts to firmly establish the responsibility of flag States for the activities of their vessels in the waters of other countries. The flag States are the countries that directly or indirectly benefit from the activities of their flag vessels. They should make sure that their flag vessels act in an environmentally proper manner. They should also continue to prevent the use of their flags as flags of convenience.

At the same time, States adversely affected by foreign fishing fleets should increase their national capacities to deal with this problem, engage in regional cooperation and make sure that their own fishing fleets also behave in a responsible manner.

It is in this particular context that the Philippines welcomes the decision of the recent review by the Commission on Sustainable Development, under the sectoral theme "oceans and seas", of progress achieved in the implementation of chapter 17 and other relevant chapters of Agenda 21. We welcome in particular the determination made during the review that priority should be given to the overexploitation of marine resources, including through illegal, unregulated or unreported fishing and unsustainable or uncontrolled distant water fishing, as well as to the threat of pollution. We therefore fully support and have co-sponsored the draft resolution under agenda item 40 (c) and will actively participate in the open-ended consultative group constituted under this draft resolution.

The Philippines agrees with the Secretary-General when he says in his report that the concept of maritime security encompasses not only traditional military security but also resource and environmental security, as well as security against crimes at sea. Crimes at sea, particularly for a developing and archipelagic State such as the Philippines, imperils the safety and well-being of our people. The Philippines is an archipelago with a coastline that in its totality is one of the longest in the world. We are located in a region that has been identified as particularly prone to crimes at sea. We cannot and must not allow our seas and oceans to become the means by which transnational crimes are committed.

I believe that the Secretary-General speaks with authority when he says in his report that the continuous expansion of organized crime and its ability to infiltrate the financial, economic and political systems of countries throughout the world has made the search for a proactive response a national, regional and global priority.

In June this year the Association of South-East Asian Nations (ASEAN) held a ministerial-level meeting on transnational crime in Yangon, during which the importance of strengthening regional capacity to combat transnational crime was stressed. During that meeting a regional plan of action was initiated to combat transnational crime, including crimes at sea, such as piracy, trafficking in persons, drug trafficking and arms smuggling. There was an agreement in principle to establish an ASEAN centre for combating transnational crime.

We agree with the Secretary-General when he states in his report that the delimitation of maritime boundaries is becoming increasingly important in the practice of States and that many maritime delimitations, in particular of exclusive economic zones, are still pending. We join him in his conclusion that it is particularly important that States agree on secure maritime boundaries, since such agreements contribute to the promotion of peace and stability at the regional level.

Maritime delimitation is indeed a difficult process. It is even more difficult when territorial disputes are involved, and the establishment of maritime boundaries can hardly proceed independently of these disputes.

We are currently in the midst of such difficulties in the South China Sea. As a claimant country, we continue to emphasize the importance of resolving these claims in the interest of the peace and stability of our region. We continue to reiterate the need for these disputes to be settled peacefully, in accordance with the recognized principles of international law, including the United Nations Convention on the Law of the Sea, and to continue to exercise self-restraint in the conduct of activities in the South China Sea. We had achieved a breakthrough in 1992 with ASEAN's Manila Declaration on the South China Sea, but subsequent events have shown that much more has to be done.

In this regard, the ASEAN Foreign Ministers in 1996 agreed to the idea of a regional code of conduct which would lay the foundation for long-term stability in the area and foster understanding among claimant countries. At the sixth ASEAN summit, the ASEAN leaders agreed to promote efforts to establish this code of conduct among the parties directly concerned. In coordination with ASEAN members and other States concerned, the Philippines has prepared a draft code of conduct that is currently being considered by ASEAN and other officials.

This week, the leaders of ASEAN will gather in Manila for an informal summit. There will be many issues before them. Among these issues will be the South China Sea and the draft code of conduct the Philippines has proposed. We hope that this process towards the adoption of a code of conduct will move one step closer towards fulfilment during the informal summit. The Philippines would like to thank the ASEAN States and the other States directly concerned for their views, comments and cooperation on this issue.

I would also like to express my country's appreciation to all States that have remained actively interested in this issue. In particular, I would like to thank Indonesia and Ambassador Hasjim Djalal for their positive contribution to this issue through the ongoing informal workshops on managing potential conflict in the South China Sea, as well as Canada for its continuing support for this project. I would like to encourage all States that are interested in resolving this dispute in a just, peaceful and meaningful manner to remain interested in all developments. Indeed, the South China Sea presents one of the more distinctive legal and political challenges in international law and relations.

Not surprisingly, the Philippines is deeply interested in the dispute settlement mechanisms of international law, including those contained in the United Nations Convention on the Law of the Sea. We have been following developments in the dispute settlement modalities contained in the Convention, particularly the International Tribunal for the Law of the Sea. We see an increasing role for the Tribunal in the law of the sea and hope that adequate resources will continue to be made available to it. We have also been closely following developments in the International Court of Justice, particularly on the numerous cases before it concerning territorial and maritime disputes.

The Philippines considers that the Convention on the Law of the Sea provides an excellent overall framework for action in the marine sector, as stated by the Secretary-General in his report. Indeed, it is important to proceed in an integrated manner. As we have seen, particularly after the review conducted by the Commission on Sustainable Development, perhaps all roads do lead to the Convention.

Miss Durrant (Jamaica): I have the honour to speak on agenda item 40, "Oceans and the law of the sea", on behalf of the 14 members of the Caribbean Community (CARICOM) that are members of the United Nations.

CARICOM member States attach great importance to the achievements made in the area of oceans and the law of the sea, particularly because the Caribbean Community is comprised of small island and coastal States which are heavily dependent for their viability on the effective management, protection and sustainable development of the sea and its resources.

We would like to thank the Secretary-General for his very comprehensive report (A/54/429) under this agenda item. We also wish to commend the Division for Ocean Affairs and the Law of the Sea for the significant contribution it has continued to make in monitoring developments related to oceans and the law of the sea, and in providing technical assistance and advice on these matters.

The fact that 132 countries have become parties to the United Nations Convention on the Law of the Sea demonstrates the wide acceptance of the Convention as the overall legal framework within which activities concerning the oceans and the sea should be carried out. It is our hope that those States not yet parties to the Convention will take early, appropriate action to that end. We further encourage those States parties which have not yet become parties to the Agreement on the implementation of Part XI of the Convention to do so at the earliest opportunity.

CARICOM States take special interest in the United Nations Convention on the Law of the Sea, since we were integrally involved in the negotiations leading up to the Convention, and we are pleased to have the headquarters of the International Seabed Authority located in Jamaica. We attach great importance to the work of the International Seabed Authority and note with satisfaction that the Authority has embarked on meaningful implementation of its mandate, which embraces activities regarding the management and control of the seabed, the ocean floor and its subsoil beyond the limits of national jurisdiction.

We welcome the signature of the Headquarters Agreement between the International Seabed Authority and the Government of Jamaica on 25 August of this year. It should be noted, however, that this Agreement and the Protocol on the Privileges and Immunities of the International Seabed Authority are complementary. We therefore urge States to sign and ratify the Protocol as early as possible.

We are also concerned that the work of the Authority has been adversely affected by the non-payment of assessed contributions. It is essential for the viability and effective functioning of this body that Member States pay their assessed contributions in a timely manner. We also call on the former provisional members which have outstanding contributions to pay these in full. This is especially important in the light of the Authority's responsibility for elaborating the regulations regarding exploitation of the Area and for examining the need for exploration of other mineral resources, such as polymetallic sulphides and cobalt-bearing crusts.

Last year CARICOM States expressed the hope that during the Authority's session this year significant progress would be made towards the completion of the draft Regulations for Prospecting and Exploration of Polymetallic Nodules in the Area. We note that the Council completed only a first reading of these draft Regulations. We therefore take this opportunity to reiterate that high priority should be attached to the completion of these draft Regulations and urge States parties to work diligently towards the early achievement of this goal.

CARICOM States are also pleased that the Legal and Technical Commission completed its first reading of the draft environmental guidelines. We also note the substantial benefits accruing to participants in the workshops convened by the Authority on the environmental impact of deep seabed mining and proposed technologies.

We are pleased that States are increasingly seeking recourse to the International Tribunal for the Law of the Sea. We welcome in particular the establishment of the disputes settlement chamber, and note the judgements handed down in the cases of the merchant vessel *Saiga* and the southern bluefin tuna. The adoption by the Tribunal of its rules of procedure is also an important step towards the establishment of a framework for the functioning of that body.

CARICOM member States welcome the progress reflected in section II.D.3 of the Secretary-General's report regarding the work of the Commission on the Limits of Continental Shelf. The Commission's formal adoption of the Scientific and Technical Guidelines, which will set the parameters and methodology for the establishment of the outer limits of the continental shelf, is a welcome development. We now look forward to participating, where applicable, in the next phase of activity involving the preparation of submissions in respect of the outer limits of the continental shelf.

We strongly support the call for the provision of training, particularly for practitioners from developing countries, to ensure their competence in the technical knowledge and skills required for preparation of the submissions. Expertise in this specialized area is extremely rare in small developing countries such as ours, and the lack of appropriately trained personnel should not preclude our participation in this important activity. In the same vein, we also support the establishment of a mechanism to assist in financing the participation of the members of the Commission from developing countries.

CARICOM States consider that the Hamilton Shirley Amerasinge Memorial Fellowship Programme makes a vital contribution to the development of expertise in the area of the Law of the Sea. We therefore welcome the recommendation by the Fellowship Advisory Panel that there should be further exploration of the possibility of increasing the endowment to enable the Panel to award more than one fellowship since there are so many outstanding applicants each year. We wish to record our appreciation to those States and organizations, as well as individuals, who have made voluntary contributions to the financing of this programme and we encourage others to make similar contributions.

CARICOM member States have for many years expressed growing concern at the increasing threat to our marine environment posed by pollution and by the transportation of hazardous and nuclear waste through the Caribbean Sea. Indeed, this matter again received priority attention during the twentieth session of the CARICOM Heads of Government earlier this year. The twenty-second special session of the General Assembly, for the review and appraisal of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, also addressed the concerns of these States regarding the transboundary movement of hazardous and radioactive wastes.

We therefore appreciate the comprehensive treatment of issues relating to the preservation and protection of the marine environment and the carriage of irradiated nuclear fuel, plutonium and high-level radioactive waste given in sections V.B.2 and VII.C of the Secretary-General's report. It is a matter for concern that while, according to International Maritime Organization (IMO) criteria, more than 50 per cent of all packaged goods and bulk cargo currently transported by sea can be regarded as dangerous, hazardous or harmful to the environment, the existing international legal regime

does not provide adequate protection for the marine environment of transit States. This is a matter which CARICOM States believe should be addressed without delay.

We note the establishment of an informal inter-agency group including the IMO, the International Atomic Energy Agency (IAEA) and the United Nations Environment Programme (UNEP) to evaluate the potential hazards of radioactive material on the environment, and we look forward to receiving the results of the group's study next year. We also welcome, as a step in the right direction, the IMO Maritime Safety Committee's amendments to Chapter VII of the International Convention for the Safety of Life at Sea with a view to making the IMF Code mandatory.

Much more, however, still needs to be done. We recognize that issues of disclosure, liability and compensation in the event of accidents are not adequately treated in existing international instruments. For islands and coastal States heavily dependent on the marine environment and its resources for their economic and ecological well-being, more comprehensive protection is urgently needed. CARICOM States will therefore continue to be strong advocates for action on these issues.

The commitment of CARICOM States to the sustainable development of the oceans and seas, was reiterated during the recent special session of the General Assembly on small island developing States. Our coastal and marine resources support our tourism and fishing industries which are fundamental to the livelihood and sustainable development of our States. The need for the effective management and development of these resources cannot be overemphasized. We therefore welcomed the very useful information provided in Section VII.A of the Secretary General's report on the conservation and management of living marine resources. Of particular concern to the Caribbean is the preservation of marine and coastal biodiversity, with special emphasis on the protection of our coral reefs. We strongly support the request for careful study of the problem of coral bleaching and continue to support the work of the secretariat of the International Coral Reef Initiative (ICRI), UNEP and other agencies working towards halting the decline in coral reefs.

The recent special session devoted timely and much needed focus to the vulnerabilities and special challenges which small island developing States face and provided us with an opportunity to address a full range of issues directly related to the oceans and the seas from climate change and sea level rise to the management of coastal

zones and marine resources. We look forward to the support of the international community as we seek to further implement the Barbados Programme of Action.

CARICOM States have brought to the General Assembly a proposal to have the Caribbean Sea recognized as a special area in the context of sustainable development. This initiative was born of a genuine concern on the part of our member States at the progressive degradation of our marine environment and increasing recognition of the need for an integrated approach to the management of the marine environmental resources in the wider framework of sustainable development. We therefore look forward to the support of the international community as we continue to pursue this initiative.

The Commission on Sustainable Development has played an important role in elaborating guidelines and principles relating to the oceans and seas. We note the recent recommendation by the Commission, subsequently endorsed by the Economic and Social Council, for the establishment of an informal consultative process to strengthen international coordination and cooperation on oceans and seas. We see this as providing a useful link between the Commission and other environmental forums and the annual debate on oceans and seas in the General Assembly.

CARICOM States, organizations and agencies responsible for various aspects of oceans and seas have, at the national and regional levels, recognized the need for further coordination and cooperation. To this end, national councils and regional consultations on ocean, marine and coastal affairs have been established. CARICOM member States are committed to ensuring that this new informal coordination and cooperation process will respect existing international regimes governing this area and will also take into account regional and national coordinating mechanisms.

CARICOM States wish to place on record their appreciation to the United Nations Environment Programme for the important contribution it has made to strengthening marine and coastal management through its regional seas programme. Important agreements for our region have been developed through this initiative, including the Cartagena Convention for the Protection and Preservation of the Marine Environment and its protocols on land-based sources of marine pollution and specially protected areas and wildlife. We welcome these agreements and remain committed to

taking all necessary measures, with the cooperation of other Member States of the United Nations, to ensure the protection of our marine environment.

The member States of the Caribbean Community wish to reiterate our commitment to cooperation with the wider international community in the area of the oceans and seas under the governance of the United Nations Convention on the Law of the Sea and other international and regional instruments relating to the oceans and seas.

Mr. Ingólfsson (Iceland): At the outset, I would like to commend the Secretariat for the report on oceans and the law of the sea contained in document A/54/429. The report is comprehensive and reflects improved cooperation between the Division for Ocean Affairs and the Law of the Sea and other relevant bodies. By improving this report, which is the basis for our annual debate on these important issues, the Secretariat has made a significant contribution towards improving our debate. We consider this report an extremely important document, since it is the only comprehensive and multidisciplinary United Nations document that gives the General Assembly an overview of all aspects of marine affairs while integrating legal, economic, social and environmental issues. These issues are of overriding concern for Iceland.

The United Nations Convention on the Law of the Sea provides the legal platform on which we must base all our deliberations. We welcome the ratification of the Convention by five States, which brings the total number of States parties to 132. We urge Member States of the United Nations that still have not ratified the Convention to do so.

Iceland welcomes the growing awareness about the oceans and ocean issues. The importance of the oceans for humankind cannot be overemphasized. The oceans are the single most important source of protein on the planet and constitute a crucial part of the earth's ecosystem. The conservation and sustainable use of living marine resources is a matter of critical importance for both present and future generations.

Enhanced sustainable yield from the oceans is required both to ensure future food security and the prosperity of those who depend on the ocean for their livelihoods. But how can we enhance sustainable yield? For one thing, the global community is not lacking in principles, rules or guidelines intended to ensure conservation and sustainable utilization of living marine resources. As mentioned before, the most important

instrument is, of course, the Convention on the Law of the Sea. But one should, in this context, also mention the Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, the Food and Agriculture Organization of the United Nations (FAO) Code of Conduct for Responsible Fisheries, the FAO Compliance Agreement, chapter 17 of Agenda 21 and the Convention on Biological Diversity. All these instruments are aimed at helping countries develop their own fisheries management systems and at reaching agreement on rational fisheries management policies on a regional basis, both within and outside national jurisdictions. If these principles, rules and guidelines were fully implemented, the depletion of fish stocks and the degradation of marine habitats and biodiversity would not be occurring.

Furthermore, it is widely recognized that marine pollution from land-based activities is putting increasing pressure on the health of the world's oceans and has to be tackled effectively by the international community. This pollution is directly linked to population growth, urban development and a large increase in the release of man-made chemicals into the marine environment. Persistent organic pollutants are of special concern. The negotiations on a legally binding international agreement aimed at eliminating the production and use of certain persistent organic pollutants, ongoing under the auspices of the United Nations Environment Programme, are of vital importance.

My Government has repeatedly emphasized in this and other forums the importance of objective and balanced discussion on the utilization of marine living resources. Unfortunately, overfishing and unsustainable fishing practices are severe in some parts of the world, which calls for urgent actions to regulate those fisheries. It is important that this be done in a local and regional context. Experience has shown that where sound scientific knowledge and strong conservation awareness go hand in hand, the sustainable use of marine living resources is best secured by local and regional management, in partnership with those who make their living from the utilization of those resources. I would like to mention, as a positive example, the regional fisheries cooperation which takes place in the north-east Atlantic Ocean.

The three institutions established under the Convention are already functioning. The International Tribunal for the Law of the Sea has already dealt with four cases in an expeditious and effective manner. The

International Seabed Authority has recently concluded its first discussions on the so-called mining code, and we look forward to the further substantive work of the Authority. Iceland has followed with keen interest the work of the Commission on the Limits of the Continental Shelf, which recently adopted the Scientific and Technical Guidelines to provide assistance to coastal States regarding the data and information they have to submit to the Commission. The open meeting to be held next year in conjunction with the seventh session of the Commission will be particularly important, since its main aim will be to familiarize representatives of coastal States with the necessity of implementing the provisions of article 76 of the Convention.

I would furthermore like to touch upon an issue to which my Government attaches great importance: the overcapacity of the world's fishing fleets. This overcapacity is a principal contributor to overfishing and thus to the depletion of fish stocks in many regions. In our view, government subsidies are a primary cause of this overcapacity. This is a serious problem that the international community has to tackle in a constructive manner.

Iceland participated actively in the informal negotiations on the three oceans-related draft resolutions that we are debating today. I would like to touch briefly upon each one in turn.

Iceland is a sponsor of this year's draft resolution on the United Nations Convention on the Law of the Sea. Iceland was one of the first countries to ratify the Convention, and, in our view, it is imperative that the Convention be fully implemented and that its integrity be preserved. We reserve our position with regard to the question of whether the United Nations Educational, Scientific and Cultural Organization is the appropriate forum for the negotiations currently under way on an agreement on underwater cultural heritage. All in all, however, this draft resolution is well balanced, and we urge countries to vote in favour of it.

In the negotiations on the draft resolution on the Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks we placed special emphasis on the importance of regional cooperation in fisheries management and conservation, which is the core of the Agreement. It is imperative that countries ratify this Agreement. Iceland has for the first time decided to become a sponsor of the draft resolution on this issue.

Iceland worked with other interested delegations, during the seventh session of the Commission on Sustainable Development, on its recommendations on enhancing international coordination and cooperation in ocean matters. Among the solutions offered was to enhance the effectiveness of the annual debate of the General Assembly on oceans and the law of the sea. The Commission reiterated that the General Assembly was the appropriate body to provide the coordination needed. To achieve that goal, it was agreed that more time was to be allotted for the consideration and the discussion of the report of the Secretary-General. As I said before, the Secretariat has already facilitated our endeavours by providing us with an excellent report this year.

My delegation is pleased to join the consensus on draft resolution A/54/L.32. We are pleased with the outcome of the negotiations and would like to extend our thanks to the delegations of New Zealand and Mexico for their hard work during the process as well as to the two co-Chairmen, from Canada and Pakistan, respectively, who smoothed the way for the consensus.

This draft resolution sets up a framework for our work next year in which we will participate actively. For Iceland it is imperative that this consultative process be as structured as possible and that the deliberations should take place inside the framework already decided upon. We look forward to the participation of major groups identified in Agenda 21 and their contribution to this process, in particular through panel discussions.

Mr. Lavalle-Valdés (Guatemala) (*spoke in Spanish*): My delegation fully shares the views expressed by the representative of Mexico on behalf of the Rio Group. We would like, however, to make a few comments of our own.

Governments and other national institutions have put in place a tremendous and ever-growing array of norms and bodies to regulate different areas of common interest, thereby stimulating cooperation and resolving the problems that arise in those areas. Within this array, the extensive body of norms and the many active institutions that deal with the oceans and seas play a special role.

What makes these international actions in the area of the oceans and the law of the sea so unique? In our view, it is due mostly to the fact that this area of international endeavour, unlike others, involves an extensive geographical area. The actions taken in this field represent a necessary response to the challenges and

opportunities arising from the existence of perfectly determined geographical areas that cover 71 per cent of the surface of our planet but cannot be under the full individual control of States.

These *sui generis* areas, which form a single whole, are critical for life on the rest of the planet. They provide humankind with great benefits and valuable resources of all kinds, but they also give rise to many serious threats and problems. In addition, most of the resulting challenges, which are ever more numerous and complex, can be tackled only at the international level and in a multidisciplinary manner.

As a result, we should not be at all surprised by the unique character or the prominence of international action in the area we are dealing with today, which is so extensively described in the excellent and very detailed report before us. This document, due to its astounding diversity of subject matter and consequent density, is rather difficult to digest, especially for Governments with limited human resources. While this was also the case with previous reports, it is clear that the document is, of necessity, becoming more complex every year. If I can be allowed the following metaphor, it would seem that the report in question should not be digested by only one stomach but rather, after being cut up into several pieces, by several stomachs, each of which would deal with a single one of those pieces.

In this way the General Assembly could adopt not just a few but many resolutions on this item, each the result of a careful study of a single aspect of the subject. But we do not have the time — nor, possibly, after a certain point, the resources — to bring this task to fruition. Nor can we overlook the fact that the General Assembly is not, nor should it be, a technical organ. Its task in this area should be that of elaborating the consolidated, comprehensive approach which that is required, which only the Assembly can do.

Nevertheless, we deem it positive that a broad debate at our level is taking place on the item on oceans and the law of the sea.

That is why Guatemala co-sponsored the draft resolution contained in document A/54/L.32, in which, in accordance with paragraphs 2 and 3, the Assembly, basing itself on the recommendations made by the Commission on Sustainable Development in paragraph 39 of its decision 7/1, would give greater consideration to the oceans and the law of the sea in its annual general report.

We would like to express our support for the draft resolution currently being negotiated in the Second Committee with respect to the Caribbean Sea. Given the views expressed at the Third United Nations Conference on the Law of the Sea and the fact that on all maps it conforms to the definition contained in article 122 of the United Nations Convention on the Law of the Sea, we would be surprised if solid arguments could be made to refute the thesis that the Caribbean Sea is, in accordance with this article, a semi-enclosed sea, and that therefore the subsequent article of the Convention must be applied. In any case we have no doubt about any of the attributes accorded to the sea by operative paragraph 6 of the draft resolution contained in document A/C.2/54/4. We hope that with the necessary adjustments, but without substantial changes, this draft could be adopted by consensus.

We would like also warmly to welcome the five States named in paragraph 10 of the general report to the circle of States parties to the Convention on the Law of the Sea. Last year's report listed six States that took the same step during that period. We do not have statistics in this area, but we believe that very few multilateral treaties, or even universal ones, have so many parties more than 15 years after their adoption. We hope that this trend will continue and that there will be an increase in the number of parties to the Convention, which, we understand, will shortly be ratified by at least one more Latin American State.

Mr. Gao Feng (China) (*spoke in Chinese*): First of all, please allow me to express our satisfaction at the convening of the ninth Meeting of States parties to the Convention on the Law of the Sea and the fifth session of the International Seabed Authority. I also wish to take this opportunity to thank the Chairmen and the members of the Bureaus.

The ocean is vital to the survival and development of humankind. Like other members of the international community, China, as a significant coastal developing country, has a keen interest in, and attaches great importance to, the peace, tranquillity and stability of the sea; the effective and sustainable use of marine resources; and the development of research in the area of the marine sciences and the protection of the marine environment.

We have noted that the United Nations Convention on the Law of the Sea, the Agreement relating to the implementation of Part XI of the Convention, and other relevant rules, regulations and procedures have provided

a legal framework for addressing these concerns. Together, they constitute a code of conduct that the international community must abide by in utilizing and protecting marine resources. China, therefore, has actively supported and participated in the various organs under the Convention and in their activities, and we will continue to do so in the future.

China attaches great importance to the work of the International Seabed Authority. During the Authority's fifth session, held this year, its Council continued its consideration of the draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area — the mining code — and completed its first reading and started its second. The Secretary-General of the Authority also decided to seek completion of work on the mining code next year. The mining code is a document of major importance in the international system governing the seabed. The Chinese Government believes that its consideration and formulation should follow the principle of the common heritage of mankind, and should help promote the protection, development and utilization of that heritage.

To that end, the mining code should safeguard the legitimate interests of developing countries with respect to technology transfer and technical training. It should include sufficient provisions on the protection of the marine environment. At the same time, given the contributions made by investors in developing and utilizing the common heritage of mankind, their legitimate interests should also be guaranteed. More countries and entities with technological know-how should be encouraged to increase their activities in the Area in keeping with the principle of balanced rights and obligations. Only in this way can the draft mining code be accepted by all parties, the economic and social development of mankind be promoted through the common heritage of mankind, and the marine environment be better protected through new experiments and technical innovations.

China is happy to see that the Legal and Technical Commission has already started its consideration of the Guidelines, which were prepared on the basis of the workshop held last June in Sanya, China, on the possible environmental impact of deep sea exploration. As one of the pioneer investors of the International Seabed Authority, China will, as always, faithfully fulfil its obligations and make its contribution to the development of international seabed resources and to the protection of the marine environment.

We are also happy to see that the International Tribunal for the Law of the Sea, which was set up under annex VI of the Convention, has started substantive operation, having been constituted. This year, the Tribunal considered the case of the M/V *Saiga* on its merits and reached a final decision on 1 July. On 30 July, Australia and New Zealand asked the Tribunal to take provisional measures to compel Japan to stop its unilateral acts of fishing of bluefin tuna for scientific research purposes. The Tribunal had made a decision on provisional measures by 27 August. The Chinese Government hopes that the Tribunal will continue to play its role in the settlement of maritime disputes.

Furthermore, progress has been made in the work of the Commission on the Limits of the Continental Shelf. The Commission completed its consideration of the Scientific and Technical Guidelines, and adopted them. It is our hope and conviction that the experts of the Commission will provide scientific criteria as well as consultative opinions with regard to the delimitation of the outer limits of the continental shelf.

China attaches great importance to sea-related issues under the multilateral system and has actively participated in activities in that field. Moreover, China also has made its unilateral and bilateral contributions to the peace of the sea and to the sustainable use of marine resources. On 1 June this year, China's fishing authority decreed that fishing in the area north to 12 degrees north latitude in the South China Sea would be forbidden during the summer, so as to help with the protection, conservation and management of the fishing resources in that area. At present, China is actively engaged in consultations with Japan, the Republic of Korea, the Democratic People's Republic of Korea, the Philippines and other neighbouring countries on issues relating to the law of the sea and fishing.

As we enter the twenty-first century, the sea is going to be ever more closely linked to the survival and development of mankind. The international community should join efforts within the framework of the Convention and work to bring a healthy and stable sea order into the next century so that the sea can better serve mankind, and be better served by mankind in return.

Ms. Grčić Polić (Croatia): I would like to begin this brief statement on behalf of the delegation of the Republic of Croatia by thanking the Secretary-General for his report (A/54/429) on the issue we are discussing

today. By presenting a rich inventory of all the major international activities relating to the oceans and the law of the sea, the report, as noted by a previous speaker, goes beyond the traditional format of an annual report. The scope of the report is comprehensive, and its reporting style truly transdisciplinary. We would like therefore to express our appreciation for the contributions made by the relevant Secretariat units, funds, programmes, agencies, convention secretariat and organizations of the United Nations system, and in particular, by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs.

Every national and international rule, measure and action relative to the seas and oceans must comply with the letter and the spirit of the United Nations Convention on the Law of the Sea, adopted at Montego Bay, Jamaica. Elaboration of the principles contained in the Convention can be achieved only in the manner in which the Agreement for the implementation of the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks was concluded. We hope that the draft Convention on the Protection of Underwater Cultural Heritage will also be completed in keeping with the content of the relevant articles of the Law of the Sea Convention.

The report of the Secretary-General is but a new confirmation of the first successful results achieved by the institutions established on the basis of the Convention on the Law of the Sea. The Council of the International Seabed Authority has completed the first reading of the draft mining code; the Commission on the Limits of the Continental Shelf has adopted the Scientific and Technical Guidelines; and the International Tribunal for the Law of the Sea has completed a considerable amount of judicial work in the last year. It has not only intervened in several disputes between States but has also contributed to the interpretation of the Convention's solutions concerning the rights of coastal States, the freedom of navigation and the protection of the living resources of the sea.

Croatian ships in all the seas and oceans, and the Croatian authorities in the Adriatic, are doing their best to implement scrupulously the rules of the Convention on the Law of the Sea. Our cooperation with the neighbouring coastal States, as well as with the landlocked countries in Central Europe, has been fruitful in, among other areas, the field of transit to and from the Adriatic Sea, the use of our ports, the protection and preservation of the marine environment and the management and conservation of the

living resources of the sea. The first results have been achieved concerning sea boundary delimitation with some of our neighbours, while negotiations with the others continue. We shall spare no effort in order to arrive at acceptable solutions for us and for our neighbouring Adriatic States as well. However, if negotiations prove to be unsuccessful, we are ready to submit our problems to dispute settlement procedures provided for in the Convention. It is our firm determination to resolve questions related to delimitation, as well as any other problem of the Adriatic space, by peaceful means without any delay. In this sense, in accordance with Article 287 of the Convention, the Government of Croatia declared that it had chosen, as a means for the settlement of disputes concerning the interpretation or application of the Convention, first the International Tribunal for the Law of the Sea, and secondly, the International Court of Justice.

Croatia believes that the establishment of a new informal consultative process on oceans and seas is an important step, and we have supported the efforts of those States which continue to work in that direction. Consistent with this, Croatia has also co-sponsored the draft resolution under the sub-item "Results of the review by the Commission on Sustainable Development of the sectoral theme of 'oceans and seas'". The global importance of oceans and seas calls for a multidisciplinary and truly integrated approach which will improve coordination and cooperation on the environmental, legal, economic and social levels, as well as among Governments and agencies. We believe that the open-ended informal consultative process to be established has an important role to play, and we look forward to participating in the meetings to be held within its framework beginning next year.

Finally, the Government of Croatia cherishes the hope that the law of the sea will generally be respected in the forthcoming years and that Adriatic blue will become a colour of peace and security in the third millennium.

Mr. Tomka (Slovakia) (*spoke in French*): I have the honour of speaking in my capacity as President of the ninth Meeting of the States Parties to the United Nations Convention on the Law of the Sea, which took place from 19 to 28 May 1999. I join previous speakers in presenting to delegations here in the Assembly a modest but, let us hope, useful accounting of work carried out at that Meeting.

I would like to begin by expressing my satisfaction that as we celebrate the fifth anniversary of the entry into force of the Convention, 131 States and one international organization are parties to the Convention, and we hope this community will become as universal as the family of Members of the United Nations. To this end, it is my wish that the States that support the Convention, but that for various reasons have not ratified or acceded to it, respond in a positive spirit to the appeal made regularly for years by the General Assembly in resolutions on oceans and the law of the sea.

I must note that the agenda of the ninth Meeting was particularly full: in an exercise that has become customary, the States parties were asked to examine as a matter of priority the draft budget for the International Tribunal for the Law of the Sea for the year 2000. This year they also had to elect seven members of the Tribunal with a view to filling seats of judges whose mandate of three years had expired on 30 September 1999. Among the other questions of importance taken up at the Meeting were the rules of financing of the Tribunal and the conditions under which retirement pensions may be given to members of the Tribunal. In addition, the Meeting also gave attention to the annual report of the Tribunal for 1998, to questions submitted to the Meeting of States Parties by the Committee on the Limits of the Continental Shelf, to the Rules and Procedures for Meetings of States Parties, in particular article 53, dealing with decisions on questions of substance, and to other issues. I am glad to be able to affirm that the States Parties were able to accomplish these tasks in a particularly satisfactory manner.

At the beginning of its work, the Meeting focused on the report of the Tribunal, presented by its former President, Mr. Thomas Mensah, and delegations took note with satisfaction of the activities of the Tribunal in 1998, in particular of its judicial work. I am glad also to be able to join the other States parties in complimenting the Tribunal, and particularly Mr. Mensah, for progress made since the creation of that institution, which we can now consider firmly established and completely operational. The conditions of its functioning will without any doubt be improved when the Tribunal moves into its permanent quarters in Nienstedten, a residential suburb of Hamburg, in the spring of the year 2000, just before the next Meeting of States Parties.

The 21 members of the Tribunal who will be headquartered there will include the seven new judges elected on 24 May 1999. Let me take this opportunity to warmly congratulate Judge Chandrasekhara Rao on his

election as President of the Tribunal; I am certain that under his leadership the Tribunal will fulfil the hopes placed in it. I also congratulate Judge Dolliver Nelson for his election as Vice-President of the Tribunal.

With respect to the budget of the Tribunal for the year 2000, the Meeting approved a total sum of \$7,657,019. The Meeting of States Parties also approved a sum of 679,364 dollars for a reserve fund designed to give the Tribunal the financial resources needed to examine cases submitted to it in 2000, particularly those that must be heard urgently. The fund will be used only if these cases are brought before the Tribunal.

On the suggestion of the President of the Tribunal, the Meeting also decided to consider adjusting the remuneration of the judges, so as to bring it into line with the compensation of members of the International Court of Justice. Delegations were unanimous in recognizing the principle of maintaining the equivalence of the remuneration of the members of the Tribunal with the remuneration levels of the judges of the International Court of Justice. However, it was noted that retroactive application of this adjustment would not be allowed. Therefore the Meeting approved a draft decision bringing, as of 1 January 2000, the maximum annual remuneration for members of the Tribunal to the level of compensation of members of the Court. I note that this level is merely a point of reference and that the actual remuneration of members of the Tribunal is determined on the basis of a formula that takes into account the days that members actually spend exercising their functions.

In the context of the debates on the budget, the Meeting considered the question of the establishment of a floor rate and a ceiling rate for contributions to finance the Tribunal's budget. Following these deliberations, it decided that contributions of State parties would be calculated on the basis of the scale of assessments for the regular budget of the United Nations for the corresponding budgetary period, adjusted to take into account the degree of participation in the Convention, and that a floor rate of 0.01 per cent and a ceiling rate of 25 per cent should be used to establish the scale of assessments of the States parties for the Tribunal's year 2000 budget.

As regards the activities of the Tribunal, several delegations emphasized the need to continue to ensure the transparency of its financial and administrative management. Here it was decided, *inter alia*, to request

the Registrar to submit to subsequent meetings the totals related to the implementation of the budget.

The debates begun during previous Meetings on the Financial Regulations of the Tribunal were continued. The subject gave rise to an animated and intense discussion. Several draft amendments, which deserved to be examined further and in detail, were proposed. In this regard it should be recalled that the Meeting had decided that all additional amendments and observations should be submitted in writing to the Secretariat before 30 November 1999. It is therefore incumbent on me to draw the attention of interested States parties to the fact that the Secretariat has not yet received submissions regarding the rules of procedure and that further delay might complicate the work of preparing the document that is to be considered for adoption at the next — the tenth — Meeting.

Another question on the agenda dealt with the draft Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea. This draft took into account the changes made to the Pension Scheme Regulations for the members of the International Court of Justice — changes previously approved by the General Assembly. At the Meeting several additional amendments were proposed. At the end of the negotiations, the draft, as amended, obtained the general approval and the Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea was thus adopted.

After having exhausted questions dealing with the Tribunal, the Meeting resumed consideration of article 53 of its Rules of Procedure dealing with the taking of decisions on financial and budgetary questions. I regret to have to note that the Meeting did not make progress in its quest for unanimity, and it will be necessary to continue discussion of this matter during the tenth Meeting.

In my opinion the Meeting had a fruitful exchange of views on this item, and several delegations demonstrated their agreement in principle to the establishment of the special trust fund requested by the Commission on the Limits of the Continental Shelf, a special trust fund administered by the United Nations Secretary-General to finance the travel and lodging costs for members of the Commission from the developing countries. The majority of participants believed, however, that if they were to formulate their recommendation to the General Assembly, the Meeting needed to receive from the Commission detailed information on the existing needs and on the financial resources required for each of the sessions, and that if such information were not made available, it would

be difficult to take any decision whatsoever on this item. As agreed, I informed the Chairman of the Commission of the tenor of the debate on this matter. On the basis of the last statement by the Chairman of the Commission on the state of progress of the work of the Commission during its sixth session, which took place from 30 August to 3 September, I note with pleasure that the Commission has already dealt with this issue and that it requested that the relevant information be submitted to the President of the next Meeting of States Parties.

I cannot conclude without mentioning the very interesting debate on the role of the Meeting which, according to some participants, should not be limited to questions of an administrative nature but should also consider reports from all the institutions created on the basis of the Convention. On the other hand, a number of delegations were in favour of a narrower interpretation of the Convention, in the sense that the functions of the Meeting of States Parties were defined in the text of the Convention and that the Meeting did not have competence to undertake other functions. During this debate other opinions — at times quite divergent ones — were voiced, and a number of relevant questions regarding the role of the Meeting were raised. These issues will probably be the subject of other debates during the next Meeting, and I do not wish to prejudge their outcome. Here I would merely like to express my hope that some aspects of this discussion will be to a large extent clarified by recent developments and by the adoption of draft resolution A/54/L.32, introduced under sub-item 40 (c) of the agenda and entitled "Results of the review by the Commission on Sustainable Development of the sectoral theme 'oceans and seas': international coordination and cooperation".

Under other matters, the Meeting took up an extremely urgent problem for member States of the International Oil Pollution Compensation Funds, as regards the responsibility of ship owners for oil-pollution damage, the 1969 International Convention on Civil Liability for Oil Pollution Damage and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage. An urgent appeal had been made to all the parties to the 1969 and 1971 Conventions to deposit as quickly as possible their instrument of denunciation and take the necessary legislative measures to ratify the related protocols of 1992. This is necessary to avoid having two different compensation regimes at the same time.

I would also like to add that the representative of a non-governmental organization made a statement in which he called the attention of the Meeting to the need to ensure protection for seafarers, in particular against acts of piracy and the consequences of the abandonment of ships. He also referred to the growing problems caused by the repatriation of stranded seafarers whose ships were immobilized, adding that his organization had devoted a report to this issue.

I do not want to conclude without thanking once again all of those who have contributed to the particular success of the ninth Meeting and those who supported the difficult work of the presidency. I hope that the next President — of the tenth Meeting — will also benefit from such broad and generous support from States parties.

Mr. Gopinathan (India): My delegation welcomes the comprehensive and informative reports of the Secretary-General on matters relating to the law of the sea and ocean affairs. We are also pleased to co-sponsor the draft resolution on oceans and law of the sea.

During the current year, five more States have ratified the United Nations Convention on the Law of the Sea. The total number of States Parties has now reached 132, including one international organization. Thus, the Convention continues to move steadily towards the realization of the ultimate goal of universal participation. However, many States which became members on a provisional basis under the terms of the 1994 Agreement relating to the Implementation of Part XI of the Convention have not taken the necessary steps to become parties to the Convention, although even the extended period of their provisional membership expired over a year ago.

It is a matter of satisfaction that all the institutions envisaged under the Convention — namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — have been established and have made considerable progress in various administrative and institutional matters which are essential to their proper and effective functioning, as well as to the substantive matters provided for under the Convention.

The International Seabed Authority at its fifth session continued its consideration of the draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, commonly referred to as the mining code. The Council of the Authority has completed the first reading of the draft code and will continue its consideration of the

draft code with a view to its adoption during the next year. The elaboration of the mining code constitutes the most important substantive basis for carrying out the functions of the International Seabed Authority and we urge its early completion. As a registered pioneer investor, India's plan of work for exploration of the mine site in the Indian Ocean was approved by the Authority in 1997. India has fulfilled its obligations under the Convention, the Agreement relating to Part XI, and resolution II and is thus eligible to obtain a contract for exploration of its mine site, which could be done as soon as the mining code is approved by the Authority.

We welcome the formal conclusion of the Headquarters Agreement between the Government of Jamaica and the Authority and appreciate the facilities extended by the host country to the Authority to enable its efficient functioning. This Agreement governs the relationship between the Government of Jamaica and the Authority; establishes the privileges and immunities of the Authority, its property, personnel and permanent representatives; and is important for its effective functioning.

The draft Financial Regulations of the Authority were adopted by the Council and will be applied provisionally, pending approval by the Assembly. The draft Staff Regulations of the Authority have been prepared by the Finance Committee and will be considered by the Council at the next session. The Legal and Technical Commission completed its first reading of the draft guidelines for the assessment of the possible environmental impact arising from the exploration of polymetallic nodules.

The Commission on the Limits of the Continental Shelf, at its sixth session, adopted its Scientific and Technical Guidelines, which deal with the methodologies stipulated in article 76 of the Convention for the establishment of the outer limits of the continental shelf and are intended to assist coastal States regarding the technical nature and scope of the data and information which they need to submit to the Commission while submitting claims regarding the outer limits of their continental shelf. Thus, the Commission is now ready to accept submissions from coastal States and to provide scientific and technical advice to States in preparing their submissions.

Turning to the International Tribunal for the Law of the Sea, we note that the Tribunal has delivered its first judgment on the merits of a dispute which involved many

important issues, such as the freedom of navigation and other internationally lawful uses of the seas, the enforcement of customs laws, refuelling vessels at sea and the right of hot pursuit. In two other cases filed before it regarding conservation of highly migratory fish species, the Tribunal has prescribed provisional measures. The International Court of Justice also has before it a number of cases involving maritime matters, including questions of maritime boundaries and fisheries. Accordingly, the Tribunal may be expected to play an increasingly vital role in this important area.

My delegation attaches a high degree of importance to all matters concerning the United Nations Convention on the Law of the Sea and to strengthening the new institutions that have recently been set up under the Convention. We will continue to extend our full cooperation and to participate actively and constructively in all United Nations activities pertaining to the Convention and related agreements. It is a matter of concern that several member States, as well as States whose provisional membership has expired, continue to be in arrears of contributions. Considering that the International Seabed Authority and the Tribunal are still in the early stages of their establishment, it is essential that all member States pay their assessed contributions in full, on time and without conditions to enable their effective functioning.

The adoption of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks was a significant development in the implementation of the law of the sea Convention. It assumes special importance in view of the caution sounded by the Food and Agriculture Organization of the United Nations (FAO) that over 60 to 70 per cent of fish stocks are being overfished and require urgent intervention to avoid further decline of these stocks below replacement levels. The Agreement has so far been ratified by 24 States and will enter into force after it is ratified or acceded to by 30 States. The Government of India is presently examining the agreement with a view to acceding to it. India is also cooperating with other States at the regional level in the conservation and management of fishery resources and is a member of the Indian Ocean Tuna Commission and the Western Indian Ocean Tuna Organization.

The Code of Conduct for Responsible Fisheries adopted by FAO in 1995, as well as the FAO Agreement to Promote Compliance with International Conservation and

Management Measures by Fishing Vessels on the High Seas need to be acceded to or applied with immediate effect. It is also a matter of concern that overfishing continues to take place in contravention of applicable regional conservation regimes and that States are not meeting their obligations to ensure compliance by their flag vessels and nationals. We believe that implementation of these agreements will guarantee the enforcement of the rights of developing country coastal states and that technical and financial support will be extended to developing countries for the development of their fisheries. We further believe that artisanal and small-scale fisheries, including subsistence fisheries, should be protected in view of their social and economic importance to coastal States in the developing countries.

We recognize that issues relating to oceans and seas are highly complex and interrelated and, in this context, welcome any effort to enhance coordination and build on synergies. At the same time, we also need to recognize that considerable work has been done by the international community, particularly through the United Nations Convention of the Law of the Sea, which sets out a holistic legal framework for the treatment of the diverse issues related to oceans and seas. Any effort to promote coordination needs to build on this.

Even at the seventh session of the Commission on Sustainable Development, which considered implementation of the relevant chapters of Agenda 21 under the sectoral theme "Oceans and seas", the importance of and the need to respect the United Nations Convention on the Law of the Sea were underscored. Further, in recommending modalities to enhance coordination and cooperation on oceans and seas through the General Assembly, the Commission, in decision 7/1, cautioned that such an informal consultative mechanism should be in full accordance with the United Nations Convention on the Law of the Sea. It also specified that the creation of new institutions should be avoided and that the General Assembly should work to strengthen existing structures and mandates within the United Nations system and should not lead to duplication and overlapping of current negotiations taking place in specialized forums. Above all, the Commission pointed out that the role of the General Assembly was only to promote coordination of policies and programmes and that any informal consultative mechanism of the General Assembly was not intended to pursue legal and juridical coordination among different legal instruments.

It is a matter of some satisfaction that the aforementioned guidelines have been taken into account in framing the informal consultative mechanism in the General Assembly to enhance coordination and cooperation on issues relating to oceans and seas. We look forward to participating actively in this process. In our view, if there is indeed a need for enhanced coordination by the General Assembly, the first step should be to ask the bodies concerned if they feel that this is a problem which needs to be addressed. If their responses indicate that there are indeed lacunae which should be corrected, the General Assembly could then see, on the basis of the recommendations made by the bodies concerned and synthesized by the Secretary-General, if it could play a useful role in these matters. We expect that this is how this draft resolution will be implemented.

Mr. Zmeevski (Russian Federation) (*spoke in Russian*): Last year further progress was made by the international community in strengthening the legal regime established by the United Nations Convention on the Law of the Sea. We welcome the continued increase in the number of parties to this Convention and the stepped up work of the institutions provided for by the Convention: the International Seabed Authority, the International Tribunal for the Law on the Sea and the Commission on the Limits of the Continental Shelf. Their activities have been strengthened by the necessary bases for effective implementation of the Convention, namely, uniformity and consistent application.

Russia has consistently favoured enhancement of the role of the United Nations Convention on the Sea as a universal international legal instrument aimed at developing cooperation among States and the use of seas and oceans for peaceful purposes. We favour an increase in the number of States parties to the Convention.

We share the concern of the Secretary-General over failures of national legislation to comply with the norms enshrined in the Convention, including those referring to the right of maritime transit, marine scientific research and so forth. We are also concerned by discussions in certain international structures of the proposals aimed at a revision of the provisions of the United Nations Convention on the Law of the Sea, in particular those dealing with the regime of the exclusive economic zone. Such ideas arise, for example, in the context of discussing questions related to the transport of radioactive material by sea, *inter alia*, through a territorial sea, economic zone or strait used for international shipping, to the protection of underwater cultural heritage or to the transport of illegal migrants by

sea. In our view, attempts to resolve problems of maritime law outside the system of the 1982 Convention undermine the unified rule of law on the world's oceans. The Russian delegation believes that this question must be the focus of the General Assembly's attention, and it supports activities aimed at strengthening the coordination, under the aegis of the United Nations, of international mechanisms in the area of the law of the sea.

The Russian Federation is seriously concerned by the illegal traffic in weapons and drugs and illegal migration carried out in marine areas. Decisive international action must be used to counter piracy and armed robbery. We welcome the stepped up efforts to combat transnational organized crime, and in particular steps undertaken in this context by the International Maritime Organization.

Equally significant for the implementation of peaceful economic activities on the seas and oceans and for their sustainable development is a resolution of the problems of preserving the marine environment and managing and protecting marine resources. In this context, the Russian Federation considers the relevant provisions of the United Nations Convention on the Law of the Sea and of Agenda 21 to be a programme designed to ensure the sustainable development of the oceans and seas. We also attach great significance to the implementation of the Washington Declaration of 1995 on the protection of the marine environment from pollution, as well as recommendations to ensure implementation of the Global Programme of Action for the Protection of the Marine Environment, adopted at the second summit on oceans and seas, which took place in London in December last year.

Russia is prepared to continue cooperating to reduce exports of waste and other materials to be dumped at sea and to support further efforts of the United Nations Environment Programme to combat pollution of the marine environment.

The Russian Federation was one of the first countries to ratify in 1997 the Agreement on the conservation and management of straddling fish stocks. We consider it an important milestone in the implementation of the United Nations Convention on the Law of the Sea and as a compendium of international standards determining the parameters for the cooperation of States in respect of fisheries and the protection of their stocks.

We attach the greatest importance to the Agreement's speedy entry into force, to the wide participation of heads of State and to its effective implementation for the conservation and management of straddling fish stocks. The depletion of living resources in certain regions of the world's oceans and the emergence of serious new threats to the environment make protection of the marine environment and its effective balanced preservation a high priority objective of the international community.

On the national level, we have undertaken a range of measures for the implementation of the Code of Conduct for Responsible Fisheries and of the Agreement on the conservation of straddling fish stocks, providing for the rational use of fish resources. The Russian Federation is not carrying out any type of commercial drift-net fishing. We are in favour of the adoption of expedient measures for the rational use of fish resources, *inter alia*, through less intensive fishing and the establishment of systems of marine preserves and protected zones.

Russia supports the international plans of action approved by the Food and Agriculture Organization Committee on Fisheries to reduce instances of catching seabirds in longline fishing, to preserve shark populations and to regulate fisheries. We attach the highest priority to all efforts designed to combat poaching, unregistered and unregulated fisheries. The Russian delegation supports the recommendations of the Commission on Sustainable Development on the preservation of living marine resources, including ecosystems, on the prevention of the pollution and deterioration of the marine environment and on the coordinated implementation of the provisions of the United Nations Convention on the Law of the Sea and Agenda 21.

We welcome the Commission's desire to strengthen the cooperation and coordination of actions of the international community in an integrated approach to all aspects of ocean issues, and its recommendation that the General Assembly consider ways and means to enhance the effectiveness of its annual discussions on issues of the world's oceans and international law.

The annual comprehensive review by the General Assembly of issues linked to oceans and the law of the sea gives Member States an opportunity to state their views on the most relevant issues relating to the oceans. At the same time, the oceans and seas present a special need for international coordination and cooperation and require a comprehensive approach in considering all legal, economic,

social and ecological aspects, at both the intergovernmental and the inter-agency level.

The establishment of an informal consultative process, which is discussed in the draft resolution before us, will assist in implementing this objective. However, it is important to ensure that the informal consultative process acts within the context of strengthening the regime established by the United Nations Convention on the Law of the Sea and is in line with the procedural requirements for the activity of mechanisms established under the auspices of the United Nations.

Russia, as a major maritime Power, attaches great significance to activity related to the world's oceans and intends to actively continue to promote improved cooperation among States in the exploitation of marine areas and the further strengthening of the international legal regime established by the United Nations Convention on the Law of the Sea.

Mr. Pham Binh Minh (Viet Nam): At the outset, let me take this opportunity to express our great appreciation to the Secretary-General for his comprehensive and informative reports contained in documents A/54/429 and A/54/461, which constitute a good basis for our debate. I would also like to express our satisfaction for the tremendous effort and valuable contribution made by the Division for Ocean Affairs and the Law of the Sea and other international institutions concerned with the question of oceans and the law of the sea this year.

Viet Nam notes with satisfaction that until now 132 countries have become parties to the United Nations Convention on the Law of the Sea. This increasing number reflects not only the great significance of the Convention, but also the general acceptance of this legal framework. Undoubtedly, the Convention is gradually becoming one of the most universal instruments in the world. More than 96 countries, including international institutions, have fulfilled their domestic legal process to be bound by the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea. A considerable number of States have lent their full support to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, adopted in August 1995. It must be the common view that this Agreement should be interpreted and applied in

the context of and in a manner consistent with the Convention.

Our delegation welcomes the achievements attained by the International Seabed Authority at its fifth session, held in August 1999 in Kingston, Jamaica, particularly with regard to the draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area and the draft financing regulations of the Authority. We believe that the mining code and other instruments concerned must be in strict accordance with the provisions of the Convention on the Law of the Sea and its annexes. The principle that the Area and the mineral resources thereof are the common heritage of humankind must be observed. The interests of the developing countries should be duly taken into account. The exploration, exploitation and management of the Area and the natural resources thereof has always been considered a new and complicated question by many countries, particularly the developing countries. Therefore, it is necessary that the drafting process of the aforementioned instruments should be reported thoroughly and in a timely way to Member States. Decisions and comments can hardly be made without adequate time for study. It is equally important that the International Seabed Authority pay more attention to the training and education of experts, especially those from developing countries.

For years, the International Tribunal for the Law of the Sea and its operation have been a matter of great interest to the international community. Our delegation notes with satisfaction that seven members of the Tribunal were elected, the budget of the Tribunal for the year 2000 was approved, the revised draft financial regulations of the Tribunal were considered and the Agreement on the Privileges and Immunities of the International Tribunal were signed by 21 countries and ratified by two of them.

With regard to the judicial work of the Tribunal, considerable progress has been noted. Soon after the judgment on the *M/V Saiga* case was given, some other cases were submitted to the Tribunal, such as the *M/V Saiga* (No. 2) case, and the southern bluefin tuna cases (Nos. 3 and 4). This reflects the important role of the Tribunal in the settlement of international maritime disputes.

We are following with keen interest the work of the Commission on the Limits of the Continental Shelf. Through the six sessions held since its establishment, the Commission has made considerable efforts in its organizational work and in carrying out its mandate.

Among these were the adoption in September 1998 of its rules of procedure, the Scientific and Technical Guidelines and its annexes, the election of its Bureau and the establishment of the Working Group on Training. Our delegation believes that the Guidelines and its annexes deal only with matters of procedure and should not affect the rights and obligations of States concerned. Therefore, it is necessary that any terminology and concepts used in those rules should be clarified with the aim of avoiding future misinterpretation. Moreover, the functions and activities of the Commission, as well as the rights and obligations of its members, must be understood and applied in accordance with those of the United Nations Convention on the Law of the Sea and its annexes.

We also take note of the activities, achievements and contributions made by other international institutions dealing with matters relating to ocean affairs and the law of the sea. We are satisfied with the presentation made in document A/54/429 from part V to part XI. There is no doubt that these are aimed at ensuring better exploration, exploitation and management of maritime areas and the continental shelf, while contributing to the maintenance of world peace and security and promoting international cooperation and the settlement of dispute by peaceful means.

The United Nations Convention on the Law of the Sea and its annexes has always enjoyed the strong support of the Government of Viet Nam. The Convention is a framework for national, regional and global activities in maritime areas and continental shelves. It is of great importance that the spirit and the letter of United Nations Convention on the Law of the Sea should be seriously observed by the international community. Among other things, the Convention makes it obligatory for States to respect other States' sovereignty, sovereign rights and jurisdiction over their maritime areas, continental shelves and exclusive economic zones. Unilateral activities, declarations and arrangements of States are required to abide strictly by the provisions of the Convention. Therefore, those that run counter to the provisions of the United Nations Convention on the Law of the Sea and its annexes are considered by Viet Nam null and void. As a party to the Convention, Viet Nam always respects the Convention's provisions and fulfils its international commitments, and therefore demands that other parties do likewise.

With regard to the situation in the Eastern Sea, or the South China Sea, where incidents still occur, thus causing concern to the countries of the region, Viet Nam

reaffirms the consistent position that disputes in the Eastern Sea should be settled by peaceful means, through bilateral and multilateral negotiations among parties directly concerned, on the basis of full compliance with international law, particularly the 1982 United Nations Convention on the Law of the Sea and the 1992 Association of South-East Asian Nations (ASEAN) Declaration on the South China Sea. While strengthening the efforts for a durable and fundamental solution to the disputes in these areas and facilitating the search for such a solution, all parties concerned should maintain the status

quo, exercise self-restraint, refrain from any act that may further complicate the situation and take confidence-building measures to ensure peace and stability in the region. The ongoing efforts by ASEAN to work out a code of conduct for the Eastern Sea, in the spirit of the sixth ASEAN summit in Hanoi, represent a step in the right direction and stand as a constructive measure, contributing to confidence building towards the peaceful settlement of the existing issues in the region.

The meeting rose at 6.20 p.m.



General Assembly

Fifty-fourth session

62nd plenary meeting

Wednesday, 24 November 1999, 10.00 a.m.
New York

Official Records

President: Mr. Gurirab (Namibia)

In the absence of the President, Crown Prince Albert (Monaco), Vice-President, took the Chair.

The meeting was called to order at 10.15 a.m.

Tribute to the memory of Mr. Amintore Fanfani, President of the General Assembly at its twentieth session

The Acting President (*spoke in French*): Before we take up the items on our agenda this morning, it is my sad duty to inform members of the Assembly of the death of His Excellency Mr. Amintore Fanfani on Saturday, 20 November 1999.

Mr. Fanfani was President of the General Assembly in 1965, at its twentieth session. He was a noted statesman of Italy. He played a prominent role in our Organization and made a major contribution towards the achievement of the objectives set out in the Charter.

On behalf of the General Assembly, I should like to convey to the members of Mr. Amintore Fanfani's family and to the Government and the people of Italy our deepest and most heartfelt condolences.

I invite representatives to stand and observe a minute of silence in tribute to the memory of Mr. Amintore Fanfani.

The members of the General Assembly observed a minute of silence.

The Acting President (*spoke in French*): I now call on the representative of Italy.

Mr. Francese (Italy): Your Highness, allow me first of all to state how pleased the Italian delegation is to work under your guidance in today's meeting of the General Assembly.

I would also like to express my delegation's deepest feelings of appreciation for the opportunity to commemorate the figure of Amintore Fanfani today in the General Assembly Hall. The world will always remember him, especially those who participated in the twentieth session of the United Nations General Assembly, in 1965.

As a lifelong believer in peace and reconciliation, one of the goals that Mr. Fanfani pursued most vigorously during his term as President of the General Assembly was to improve relations between East and West, North and South. During the cold war years, he was a strong proponent of admitting the People's Republic of China to United Nations membership. He also lent his unrelenting efforts to the search for a peaceful solution to the Viet Nam war.

In Italy, Mr. Fanfani earned the respect of friends and adversaries alike. It could perhaps be said of him what I once heard a prominent British politician say of himself — another historic figure, Harold Macmillan, on the occasion of the presentation of his memoirs: that in his long political life he never made any enemies, except, of course, in his own party.



His more than 50 years of public service are inseparable from the history of the Italian Republic, which rose out of the ashes of the Second World War and became a vigorous modern nation thanks to the strength, the talent and the vision of men and women like Amintore Fanfani. After the war, he was a member of the constituent assembly that helped draft the Italian Constitution.

He was Prime Minister of Italy six times, in four different decades. Among his accomplishments as head of Government, Fanfani promoted a number of very important historical bills, including those to improve the distribution of electrical energy in the 1950s and to strengthen compulsory education. He also launched a series of all-important social reforms. Furthermore, his attention to the importance of communications was yet another sign of his foresight. Indeed, from the start, he was a strong supporter of the development of Italy's television industry.

In 1968 and 1969, he served as Minister for Foreign Affairs. Among other offices in which he acquitted himself so honourably were those of Minister of Labour, of Agriculture, of the Interior and of the Budget. In 1972 he was made a Senator for life.

As I contemplate the long and distinguished career of Senator Fanfani, I can only say in closing that the best way to mourn his loss is to recall his many accomplishments. He gave much to his country and to the world, and I am deeply moved and honoured to hear his name read out again and again within this Hall.

Agenda item 40 (continued)

Oceans and the law of the sea

(a) Law of the sea

Report of the Secretary-General (A/54/429 and Corr.1)

Draft resolution (A/54/L.31)

(b) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Report of the Secretary-General (A/54/461)

Draft resolution (A/54/L.28)

(c) Results of the review by the Commission on Sustainable Development of the sectoral theme of "oceans and seas"

Report of the Secretary-General (A/54/429 and Corr.1)

Draft resolution (A/54/L.32)

Mr. Holmes (Canada): May I begin by joining other members of the Assembly in expressing our condolences to the family of Mr. Amintore and to the people and the Government of Italy.

I will be reading a shorter version of the text that has been distributed.

Today's debate on the oceans and the law of the sea affords us an opportunity to review recent developments and to renew our commitment to conservation and cooperation in protecting this important resource. The 1995 United Nations Agreement relating to Straddling and Highly Migratory Fish Stocks is one of the most important recent developments aimed at conservation and cooperation. Canada ratified the Agreement earlier this year, and although 24 States have now done so, we urge others to ratify in order to bring the Agreement into force as soon as possible. It is an important treaty and a major contribution by the United Nations to sustainable development.

During the 1992 United Nations Conference on Environment and Development, the Earth Summit at Rio, the international community supported the convening of a conference for the negotiation of new arrangements to establish comprehensive rules for the conservation and management of straddling and highly migratory fish stocks on the high seas. The outcome of that process was the United Nations fisheries Agreement, which was concluded in August 1995.

During that period, the international community developed other instruments to deal with similar problems in fisheries. For example, the Food and Agriculture Organization of the United Nations (FAO) developed the Code of Conduct for Responsible Fisheries and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, which is known as the Compliance Agreement. Canada has signed on to both of

these instruments and has developed its own Canadian Code of Conduct on the basis of the FAO Code.

Conservation of straddling and highly migratory fish stocks will probably be one of the most important international issues facing the world in the twenty-first century. Within 20 or 30 years — indeed, within our children's lifetime and perhaps our own — we will see more than half the world's surface cease to be a source of protein in food for humankind. Half the world's surface will become a desert from the point of view of feeding humankind. That is the issue. That is why it is so important to work in this area.

The 1995 Agreement provides guiding principles for the conservation and management of straddling and highly migratory fish stocks, including the obligation to apply the precautionary approach. The Agreement's annexed guidelines call on States to be more cautious in their conservation and management decisions when information about the fishery in question is uncertain, unreliable or inadequate. States must ensure compatibility between measures applied inside and outside their waters to ensure that measures adopted by a coastal State in its waters for straddling and highly migratory fish stocks are not undermined by measures applicable to the high seas. The guidelines also provide for the minimization of pollution, waste, discards and by-catch.

The 1995 Agreement reiterates the law of the sea obligations for parties to cooperate in the conservation and management of straddling and highly migratory fish stocks either directly or through regional fisheries organizations and arrangements. The Agreement sets out general principles and obligations regarding the setting up, functioning and strengthening of regional fisheries organizations and provides rules concerning the participation of States in such organizations. In particular, the 1995 Agreement specifies rules with respect to non-members of regional fisheries organizations, which in effect bind the parties to cooperate in the management and conservation of straddling or highly migratory fish stocks, whether or not they belong to a given regional fisheries organization.

The 1995 Agreement has provisions to oblige regional fisheries organizations to be transparent in their decision-making and other activities. Intergovernmental and non-governmental organizations that are concerned with straddling and highly migratory fish stocks will now have an opportunity for observer participation in meetings of these organizations.

In our view, the Agreement will make an important contribution to conservation, sustainable fisheries and constructive relations between States. The confrontations of the past will happily be relegated to the pages of history.

(spoke in French)

Canada has brought its domestic and foreign fishing policies into line with the principles and rules of the Agreement. Internationally, we are working to implement the principles and rules of the Agreement within regional fisheries organizations to which we belong, such as the Northwest Atlantic Fisheries Organization, as well as through our participation in the negotiations to create new regional fisheries organizations, particularly in the western and central Pacific.

We are convinced that the adoption and implementation of these guiding principles and rules by which regional fisheries organizations operate will improve the way in which the world's fisheries are managed.

We cannot solve the problems of the world's fisheries alone. However, with the 1995 Agreement and the other tools at our disposal, and with the cooperation of all the States concerned, we will be able to put an end to the destructive and wasteful fishing practices of the past, which we must do.

(spoke in English)

I have stressed the importance of coordination and cooperation on fisheries questions, but they are equally important for all oceans issues. This year, we have taken an important step to enhance international cooperation and coordination on oceans and the law of the sea. Building on an initiative launched at the Commission on Sustainable Development, the General Assembly will shortly approve the establishment of a consultative process to facilitate the annual review of oceans issues. The intent of the sponsors, of which my delegation is one, is not to create a new, cumbersome mechanism but rather to develop a process which would promote greater dialogue nationally and internationally among oceans and law of the sea experts and thereby give greater focus to the consideration of this issue in the General Assembly. My delegation intends to play an active role in the preparations for the informal process, seeking to ensure broad input from all relevant actors, including regional organizations, various parts of the United Nations and the

major groups identified in Agenda 21, including civil society.

In closing, I wish to express my delegations's appreciation for the efforts of other sponsors, in particular the delegations of New Zealand, Mexico and of the South Pacific and Rio Groups for their leadership role.

Mr. Ayewoh (Nigeria): My delegation would like to associate itself with the expressions of condolences to the family of Ambassador Fanfani, as well as to the Government and the people of Italy.

The preamble to the United Nations Convention on the Law of the Sea rightly recognizes the desirability of establishing through the Convention a legal order for the seas and oceans for the facilitation of international communication, the promotion of the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources and the conservation of their living resources, as well as the protection and preservation of the marine environment. Consequently, it is the considered view of the delegation of Nigeria that we all have a responsibility — and indeed a duty — to agree and respect a legal order for the management of this important common heritage.

Under article 137 of the Convention, all rights to the resources of the Area are vested in mankind as a whole, as represented by the International Seabed Authority. The Nigerian delegation therefore believes that the greatest task facing the Authority is the adoption of the mining code, which will regulate the exploration and exploitation of seabed minerals.

Developing countries, including Nigeria, are disadvantaged in terms of the advanced technology and expertise essential for the exploitation and management of activities on the seabed. We lack that capacity and consequently cannot compete with the developed countries in the areas of exploration and exploitation of minerals, conservation and protection of living resources and coastal management. Neither are we in a position to monitor or manage the problems of pollution and toxic and chemical waste dumping. Moreover, many developing countries are equally handicapped in developing appropriate and comprehensive legal regimes for the effective management of the ecosystem. Therefore, in order for developing countries to be equal partners in this endeavour, they will have to be enabled. And they can be enabled only through cooperation, partnership and assistance.

Article 202 of the Convention further obliges States to give technical assistance to developing countries, either directly or indirectly, in order to enable them to protect their marine environment. The time has therefore come for the international community, through the United Nations, to articulate a comprehensive package of assistance in the area of oceans and seas for the benefit of developing countries. This is the only way for all States — and particularly developing countries, which have been largely marginalized — to be able to participate effectively and have an equitable share of the resources of the oceans and seas.

As a coastal State, Nigeria attaches great importance to the management and conservation of fish stocks. Fishing plays an increasingly important role in ensuring food security in Nigeria and it has become an important avenue for the generation of income for our people, particularly those living in coastal areas. The Fishery and Livestock Department of the Federal Ministry of Agriculture in Nigeria has been playing an active role in expanding commercial activities in this area by judiciously implementing forward-looking and far-reaching measures put in place by the Government — guided, of course, by the principles of the conservation and rational use of the living resources of the sea, as well as the sustainable development of fishery resources.

Nigeria therefore welcomes the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, otherwise known as the Fish Stocks Agreement. The Agreement represents a bold attempt by the international community to protect commercially important species that have been victims of heavy but weakly regulated fishing efforts. In this regard, we share the view that the Agreement can be of benefit in unifying standards relating to fishery activities on the high seas and, indeed, can strengthen international fishery cooperation.

Nigeria is currently reviewing its domestic laws and regulations to determine their consistency with the obligations set out in various international conventions and agreements with a view, of course, to ratifying them.

Nigeria cherishes the inextricable link between environmental protection and the sustainability of marine resources. Our Ministry of Environment seeks to preserve the marine environment by monitoring pollution, the dumping of toxic and chemical substances and oil

spills. It prescribes and monitors safety standards for oil companies operating in the Niger Delta, the major oil-producing region of the country. Nigeria therefore wishes to assure the international community that it is deploying its best efforts to protect its coastal environment from degradation caused by oil spillage and gas operations. This is a task that we take very seriously and in which we strive continuously to improve.

The importance that Nigeria attaches to these issues is further demonstrated by the activities of the Niger Delta Development Commission. The Commission employs an integrated approach to development in the Niger Delta region. The principal thrust of the Commission is to develop adequate infrastructural facilities, such as good roads and an efficient drainage system, reliable water supplies and telecommunications. It is also charged with ensuring that the environment of the region does not suffer further degradation. The Commission is therefore seized of the task of achieving the delicate balance between development and the environmental protection of the area.

In conclusion, the world must now come to terms with the reality of environmental degradation and the danger it poses to both human and marine life. To confront this danger, nations will have to re-examine their approach and strategies to development to ensure that the environmental impact of activities on oceans and seas is given adequate consideration. It is in this endeavour that we, the peoples of the world, have a unique responsibility to take adequate and necessary measures to protect and preserve the resources of the ocean bed for the benefit of future generations. Nigeria pledges its full cooperation in this matter.

Our co-sponsorship of the two draft resolutions on oceans and the law of the sea is informed by the foregoing considerations.

Mr. Cherginats (Belarus) (*spoke in Russian*): Allow me to associate myself with the condolences expressed to the Government and the people of Italy on the death of Mr. Fanfani.

It gives me particular satisfaction to welcome you, Mr. Vice-President — a representative of the Principality of Monaco, a country friendly to Belarus — as you preside over this meeting of the General Assembly. Allow me to assure you that the delegation of the Republic of Belarus intends to take a constructive approach to the consideration of this agenda item. Allow me also to take note of the detailed report of the Secretary-General, which considers

all aspects of ocean issues and deals in a comprehensive and integrated manner with legal, economic, social and ecological questions.

This debate on the report on the status of the United Nations Convention on the Law of the Sea is taking place in the context of a growing worldwide understanding of interdependence and of the importance of strengthening international law. My delegation believes that this is evident from the overall support for the resolution adopted at this session of the General Assembly entitled "United Nations Decade of International Law". That document stresses the need to strengthen the primacy of law in international relations and urges all States to endeavour to work towards a balance of interests and to find political means for resolving disputes between States on the basis of international legal principles and norms, and also notes the importance of the progressive development of international law and its codification. It is for these reasons that the role of the United Nations Convention on the Law of the Sea has become increasingly significant, as it codifies and progressively develops norms of current maritime law and regulates the use of all maritime areas and resources.

The implementation of the Convention corresponds to the vital interests of the international community as a whole. In my delegation's view, the United Nations Convention on the Law of the Sea is a fundamental means of ensuring the peaceful and sustainable use and development of the oceans and their resources, through, in particular, the promotion of international cooperation, the equitable and efficient utilization and preservation of living marine resources, and the protection and preservation of the marine environment. It is based on the principle of rational use and fully accords with the concept of environmentally sound development. In this context, and in accordance with part X of the Convention, we believe that land-locked States, like littoral States, should have the right of access to the high seas and thus to the common marine heritage of humankind.

My delegation attaches great importance to part XII of the Convention and to its other articles relating to the protection and preservation of the marine environment. We feel that the provisions of the Convention on this question have great potential as the basis for a comprehensive regulation of the use of the world's oceans.

The deterioration of the global environmental situation cannot but be a cause of concern to all States, including land-locked ones such as Belarus. And since environmental safety encompasses both land and sea, the question of measures to protect the marine environment, which drives the climate cycle, is relevant to the vital interests of both coastal and land-locked States. The Republic of Belarus, which is suffering from the consequences of the Chernobyl nuclear-plant disaster, would like to draw the attention of the General Assembly to the considerable global threat, which could become reality at any time, posed by the disposal of shells containing toxic substances on the bottom of the Baltic and North Seas after the end of the Second World War. There are more than 60 disposal areas in the region, half of whose locations are unknown.

A serious threat is also posed by ammunition lying in the holds of sunken ships. When bombs and shells reach a certain degree of corrosion — which, according to specialists, could happen in five or six years' time — there will be a real threat of a sudden explosive release of toxic substances. The first effects of such an environmental disaster would be felt in the Baltic and North Seas, and the population of this region would be forced to impose an indefinite quarantine on the fishing industry. Even a small explosive release of toxic chemicals would affect vast tracts of the world's oceans. Since the waters of the Baltic Sea undergo a full exchange every 46 years, and 715 cubic metres of water a year evaporate from it and then cover the entire planet in the form of clouds, this would lead inevitably to the pollution of the entire biosphere. And how many more disposal sites are there in the oceans and seas?

We would like to draw the attention of the world community to this problem so that joint efforts can be made to take the necessary measures for its resolution. Given the extremely complex situation relating to the disposal of various types of chemical wastes on the seabeds of the seas and oceans, our delegation calls on the States Members of the United Nations to observe existing international agreements on the disposal at sea of toxic substances. States that have carried out such actions must declare the location of the disposal sites and their nature and number, so that in the new millennium the necessary measures can be taken to locate and clear them. We agree with the view that in the third millennium a fresh approach is needed to resolve these problems. If the international community decides to hold endless discussions on this question, and States engage in mutual recriminations, time will be lost that is needed to avert a global catastrophe. And averting a catastrophe is easier than eliminating its effects, as we learned from the Chernobyl disaster.

Of particular concern to our country and to transit States is the increase in recent years in the smuggling of migrants, including by sea. Certain criminal groups are using the territory of neighbouring States with access to the sea to smuggle migrants through our country to Western Europe. This trend is likely to continue into the next decade, since the economic disparity between the less developed States and the industrialized States will continue to provide an incentive to migrate. In this context, we support the proposal of the International Maritime Organization and the United Nations Commission on Crime Prevention and Criminal Justice to supplement the draft convention against transnational organized crime with a protocol against the smuggling of migrants.

In today's world, with its ever-shrinking borders, the smuggling of drugs by sea poses a serious international threat. Drug traffickers increasingly turn to sea transportation as a method of drug smuggling. In this connection, our delegation deems it essential to ensure a greater harmonization of international efforts aimed at ensuring the observance of drug laws, including surveillance of suspicious vessels, searching techniques and drug identification.

In conclusion, allow me reiterate my country's readiness to cooperate actively with other interested States in resolving global problems that pose a threat to the security of the international community.

Mr. Stuart (Australia): Australia looks back with satisfaction on another year of solid incremental progress in the life of the institutions established by the United Nations Convention on the Law of the Sea. The health and vigour of these young institutions is an essential underpinning of an effective international law of the sea system. We are pleased to see that the International Seabed Authority is within sight of adopting a balanced mining code and has settled with Jamaica the main outstanding questions concerning its headquarters.

For original parties to the Convention with extended continental shelves, such as Australia, the 10-year period for preparation of submissions on outer limits to the Commission on the Limits of the Continental Shelf is now a little more than half over. While article 76 of the Convention remains the paramount source of law governing the fixing of those limits, the Scientific and Technical Guidelines adopted by the Commission earlier this year are also important. Even though the Guidelines leave some questions unanswered, Australia was pleased

to be able to contribute its views at the draft stage. For some time now, the Australian authorities have held the view that the operations of the Commission would be enhanced by increased transparency. Australia therefore welcomes the holding of an open session of the Commission on the Limits of the Continental Shelf at its seventh meeting next year, and we will participate constructively in that session.

In recent months, Australia has nominated three arbitrators to the list maintained by the Secretary-General under annex VII to the Convention on the Law of the Sea, and we are part-way through the process of nominating special arbitrators under annex VIII. It has happened that Australia has, in the past year, found itself compelled to resort to the compulsory procedures under Part XV for the settlement of disputes, and in particular to the provisional measures jurisdiction of the International Tribunal for the Law of the Sea. My delegation wishes to place on record how impressed Australia was with the expeditious and smooth manner in which the Tribunal was able to deal with and grant our application for provisional measures. Australia, together with New Zealand, sought binding provisional measures from the Tribunal at the end of July 1999, and the Tribunal gave its decision on that application on 27 August 1999. This case demonstrated the Tribunal's important role and authority in the interpretation and application of the Convention. Earlier this year, Australia also signed the Agreement on the Privileges and Immunities of the Tribunal, and we hope to ratify this instrument within the next 12 to 18 months.

I am pleased to be able to report that the Australian Parliament has passed the detailed legislation necessary for Australian authorities to implement the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks. Accordingly, Australia expects to be in a position to deposit its instrument of ratification possibly within this calendar year or otherwise, shortly thereafter. The entry into force of this vital treaty cannot now be far off. Australia looks forward to that day. The treaty's operation will be fundamental to the cause of sustainable and responsible management of international fisheries. Australia will next turn its attention to becoming a party to the Food and Agriculture Organization of the United Nations (FAO) Compliance Agreement.

With wide adherence to these instruments, the only gap remaining for international fisheries regulations will be the absence of any multilateral agreement on implementation of articles 116 to 119 of the Convention on the Law of the Sea — those concerning stocks found only

on the high seas. Perhaps it is time that this gap were filled so as to provide guidelines for the management of these very vulnerable stocks. In many ways, the hard work has already been done. The 1995 Agreement is a good basis on which to build, and many of its provisions could simply be extended to the high-seas-only fish stocks.

Perhaps the newest expression in the fisheries lexicon is illegal, unregulated and unreported fishing. In cooperation with others, Australia has been pushing for the international community to take a more structured approach to this problem, which is linked to the overcapacity of the world's fishing fleets and is increasingly undermining fisheries management everywhere. Australia has been asked by the FAO to provide the services of an expert to assist in producing a draft international plan of action on this suite of issues for endorsement at the Committee on Fisheries meeting in 2001. We are pleased to have been able to provide a suitable expert. We will also jointly host a workshop of experts on illegal, unregulated and unreported fishing in May next year in Sydney.

We encourage all countries to cooperate in the development of the international plan of action, including through responses to requests for information from the FAO and participation in next year's workshop and follow-up deliberations. The action plan could include management initiatives for regional fisheries bodies, monitoring and surveillance, penalties, port access arrangements, boat and gear identification, vessel registers, independent observers, product certification, trade and marketing documentation and memorandums of understanding between producing and consuming countries.

Illegal, unregulated and unreported fishing is a difficult issue for Governments to deal with. It is nevertheless an issue whose time has come. This is an endeavour in which flag States, port States and market States — that is, States in which fish are ultimately sold or consumed — must cooperate. These groups of States at different parts of the production and distribution chain can exert different but complementary kinds of leverage, aimed at bringing about the sustainable management of international fisheries. This requires, among other things, a greater need for transparency of ownership and control of vessels, so as to enable the nationality of the companies and individuals directing their activities to be traced and those responsible for illegal, unregulated and unreported fishing to be identified. This is particularly

important in cases when such people, groups or companies originate from States that are parties to relevant international agreements but have registered their vessels elsewhere to avoid national policies and legislation.

It is a matter of disappointment to Australia that this year's draft resolution on fisheries was not more ambitious in this direction, and for this reason we are not in a position to co-sponsor the draft resolution this year. These problems will only become more pressing over the next 12 months, so as recognition of them grows, Australia hopes it will be possible for next year's General Assembly draft resolution to tackle them adequately.

As an indication of what can be achieved when countries are committed to moving forward, Australia welcomes the adoption of the catch documentation scheme for toothfish species by the Commission for the Conservation of Antarctic Marine Living Resources. We call on all non-contracting parties involved in the toothfish trade, whether port States allowing toothfish landings or States whose flag vessels catch toothfish, to cooperate with the implementation of the scheme. Australia believes that with non-party cooperation, as required under articles 117 and 118 and, where appropriate, article 63, of the Convention, the scheme will significantly improve the management and protection of toothfish stocks.

At the same time, we recognize that older issues are still with us and continue to demand positive action. We are pleased to announce that an Australian national policy on fisheries by-catch was released in October 1999. The policy provides a framework for coordinating the action of industry, scientists and all levels of Government in Australia to deal with by-catch.

Australia continues to take a lively interest in the United Nations Educational, Scientific and Cultural Organization draft Convention on the Protection of Underwater Cultural Heritage, which we hope will ultimately provide adequate protection for underwater cultural property in areas both within and beyond national jurisdiction. While some provisions of the draft are still a matter of controversy, it is Australia's hope that these difficult questions can be settled on their merits.

When we discussed this item last year in the General Assembly, during the International Year of the Ocean, Australia stated that it was on the verge of launching its oceans policy. This was in fact released in December last year. Key aspects of the policy include the implementation of ecosystem-based planning for oceans on a regional basis,

the conduct of a national marine resources survey, the use of sustainability indicators and monitoring and the creation of a national representative system of marine protected parks, two of which have already been declared.

We have established a National Oceans Ministerial Board to improve coordination between Government departments on oceans issues and to oversee the regional marine planning process. We have created a National Oceans Advisory Group, which will enable non-governmental interests to contribute to marine planning processes. The Australian Government is currently in the process of establishing a National Oceans Office, which will assist the other institutions in implementing the oceans policy. This is a major step forward in improving the conservation and management of Australia's ocean areas.

Australia fully associates itself with the statement delivered the day before yesterday by Ambassador Naidu of Fiji on behalf of South Pacific countries. Like other South Pacific Forum countries, Australia is pleased to have been actively involved in efforts that have taken place over the past year to improve the ability of the General Assembly to conduct its annual review of developments in the area of oceans and the law of the sea in an integrated and holistic manner. Australia attaches considerable importance to the oceans consultative process and looks forward to participating actively in the future meetings. As Ambassador Naidu stated, the ocean is of immense importance to the Pacific Island Forum countries, all of which share a common bond: the Pacific Ocean. Australia will continue to play an active role on these vital issues in the future.

Mr. Leslie (Belize): Our delegation joins others in expressing our condolences to the family of President Fanfani and to the Government and the people of Italy.

The Belize delegation would like to align itself with the statement delivered by the Permanent Representative of Jamaica on behalf of the Caribbean Community (CARICOM). Given the importance of this agenda item, it gives my delegation much satisfaction to participate in this crucial annual debate on the law of the sea. For us, this year's debate has added significance, since during the current year the Commission on Sustainable Development has reviewed many relevant matters of importance, and the Assembly has reviewed progress under the Barbados Programme of Action for Small Island Developing States,

a subject of vital importance to the Caribbean Community.

As has become a tradition, the Secretary-General's annual report (A/54/429) provides an excellent backdrop for this year's debate, and we sincerely thank him for the document and for the sterling task of coordinating study and information provided by several components of the United Nations system, particularly the Division for Ocean Affairs and the Law of the Sea.

The Secretary-General's report discusses the 1982 Convention on the Law of the Sea, sponsored by this Organization, and related mechanisms on the law of the sea. In that connection, my Government places great emphasis on working to achieve universal participation in the Convention and on calling on all States not yet parties to become parties. Belize also urges subscription by all States to such related instruments as the Agreement of 28 July 1994 relating to the implementation of Part X of the Convention.

I must also emphasize the importance of the function of overall policy guidance and coordination on matters relating to the law of the sea and maritime and marine matters that this Assembly provides in this annual debate. It is now time for us to delineate with clarity the body which will carry forward the orchestration of technical, financial and operational oversight in matters relating to the law of the sea. In this connection, the role of the Meeting of States Parties to the 1982 Convention is vital.

In advocating a better rationalization of the supervisory mechanisms in this area, my delegation encourages full support of the functions of the various operational agencies, especially those envisaged by the 1982 Convention. Thus, in relation to the International Tribunal for the Law of the Sea, the importance of a coherent system for the adjudication of disputes must be emphasized. At the same time, it must be said that the Tribunal has already demonstrated its suitability for and ability in resolving disputes. States parties might, therefore, wish to give close consideration, pursuant to article 287 of the Convention, to the possibility of making choices of procedures for the binding settlement of disputes concerning the interpretation and application of the Convention.

Another Convention body, the International Seabed Authority, must be congratulated for the strides it has already made. In connection with the everyday working of these two agencies, my delegation encourages cooperation in the supply and utilization for judicial purposes by the

Tribunal of modern information technologies and the harnessing for the benefit of the Authority of environmentally safe techniques for the recovery of deep seabed polymetallic nodules. In addition, we hope that substantial assistance will soon be provided to the Commission on the Limits of the Continental Shelf for the training of nationals of United Nations Convention on the Law of the Sea States parties. Likewise, we welcome the development of training modules for the CARICOM region.

The efficient and peaceful resolution of delimitation problems is central to the rational ordering of maritime matters. We must therefore express our appreciation to the Division for Ocean Affairs and the Law of the Sea and to the Commonwealth for their initiatives in this area. We note with satisfaction that the preponderant majority of formal claims to maritime jurisdiction fall within the prescriptions of the 1982 Convention and that, during the past year, there have been several instances of the conclusion of satisfactory arrangements for delimitation between various pairs of States.

Belize boasts a substantial yet low-lying coastline. Two of its nine municipalities are located on offshore islands. Many of our populace are economically dependent on the waters around those islands and adjacent reefs. Belize is also a member of the Caribbean Community, 11 of whose 14 members are islands. In this light, my delegation continues to seek the general membership's support for CARICOM's current initiative concerning the Caribbean Sea in the context of sustainable development.

I now turn to issues relating to the shipping industry and navigation. As I have already noted, Belize shares the problems and concerns of small and developing States. At the same time, we are a State with a growing shipping sector, which is important for our national welfare. We therefore fully understand the need for the facilitation of freedom of investment in this sector as much as in industrial and agricultural production and trade. To some extent, shipping is simply one of the factors of economic production and growth. As a country which is said to have one of the fastest-growing fleets, Belize is fully engaged in developing its ports and their regulation, significantly improving its fleets, enhancing its shipping legislation and subscribing to relevant intergovernmental agreements. Above all, Belize seeks actively to improve its structures for the improvement and safety of navigation. In that connection, Belize fully supports calls for the harmonization of various vessel

surveys and anticipates the advent of increased shore-based control of ships.

In other words, Belize has been maintaining its control over ships flying the Belizean flag. At the same time, we are determined to enforce national and international laws and regulations and to ensure that, without harm to port States or to seafarers, Belizean nationality is withdrawn from those ships that abuse such laws and that sully Belize's good name. We have a well-deserved reputation as an environmental paradise. Our policy on enforcement is being brought into line with that reputation, since we appreciate that the most abused and largest portion of the global environment is the oceans. Furthermore, Belize acknowledges the dangers that unsafe, unseaworthy and unsanitary vessels pose to their crews, passengers and many others.

Now I wish to turn to the development and management of marine resources and the protection and preservation of the marine environment. In view of the recent dramatic collapse of many regional fisheries and the deterioration of many economies based on fisheries, we are concerned about illegal, unregulated and unreported fishing — also called IUU fishing — especially by vessels which are not members of regional fisheries organizations or arrangements or by reflagged vessels owned by nationals of Member States. As the Secretary-General's report indicates, IUU fishing has a severe impact on fish stocks, as well as on associated fish species and other types of fauna. The report describes various global and regional initiatives that seek to ensure that fisheries are sustainably and responsibly managed, especially in regions economically dependent thereon. These regions include the African, Caribbean and Pacific small island developing States and the least developed coastal States. Belize fully supports such efforts.

The Government of Belize pledges to cooperate with relevant regional fisheries bodies to restrain vessels flying its flag from illegal, unauthorized and unreported fishing. My delegation applauds the emphasis given in the report — following up on the United Nations Environment Programme's Global Environment Outlook 2000 (GEO-2000) report and other sources — to the importance of environmental integration. We urge all domestic, regional and international institutions to factor international environmental concerns into mainstream decision-making regarding agriculture and industrial production, trade, economics, transportation and all other economic, social and developmental fields.

Belize continues to expand and strengthen its notable network of marine protected areas. We continue to hold the line regarding land-based pollution and to monitor and restrict unacceptable pollution from vessels. By such actions, and with my country's forward-looking Biodiversity Action Plan and Strategy, Belize continues to enhance its reputation as a paradise of biodiversity that also positively contributes to the elimination of the planet's greenhouse gases.

Mr. Slade (Samoa): I have the honour to make this statement on behalf of the Alliance of Small Island States (AOSIS). We are most grateful to the Secretary-General, and of course to all the United Nations personnel and agencies involved, for the excellent coverage and quality of the report (A/54/429) now before the Assembly.

The subject of oceans and seas is of vital importance to small island States. It is the ocean that defines islands and island communities. The primacy of the oceans provides a natural force and motivation to the role played and maintained by island States in this subject area, and to the exceptional contribution by representatives of island States, such as the late Professor Arvid Pardo of Malta.

The ocean is a fundamental influence on our countries, traditionally and culturally. We have relied on the ocean and its resources for our sustenance and livelihood since time immemorial. The importance of ocean resources to the sustaining of our vulnerable economies is already a matter of real significance for many communities, and of the highest long-term potential for many more island communities. However, because of the fragile nature of our ecosystems, we have to strike a balance in the sustainable use and development of these very important resources, as well as in preserving and conserving them.

I need to say that in more recent times we have begun to see the more frightening face of the oceans. The manifestations of global climate change, such as hurricane Lenny, continue to wreak devastation in our islands, in the manner rather graphically described by the Permanent Representative of Grenada from this podium two days ago. I take the opportunity on behalf of my group to extend our sympathy and support at this difficult time to Grenada, Saint Lucia, Saint Vincent and the Grenadines, Saint Kitts and Nevis and other affected Caribbean countries.

Island States are recognized in Agenda 21 and the Barbados Programme of Action as custodians of vast areas of ocean space. Unfortunately, because of the inherent constraints that confront our countries, it is difficult to fulfil our custodial role without continued international support and improved coordination and cooperation. This aspect was acknowledged and highlighted in the decisions of the Commission on Sustainable Development at its recent seventh session and also by those of the twenty-second special session of the General Assembly for the review and appraisal of the implementation of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States.

The United Nations Convention on the Law of the Sea is now nearly universally accepted and recognized by the international community. It provides the essential framework for our work on oceans and seas. It is also clear that all aspects of oceans and seas are closely related.

Island States believe that coordination and cooperation on matters relating to oceans should be improved at the intergovernmental level. This is the way we can more realistically hope to achieve a holistic approach for global action on the oceans. We would therefore welcome and support the adoption of the draft resolution on agenda item 40 (c) (A/54/L.32).

We regard the creation of an informal consultative process as a positive step forward in coordinating action on the issue of the oceans and seas. We also accept that the General Assembly is the most appropriate forum in which to deal with such a consultative process.

It is noted that the consultative process allows the opportunity to receive inputs from representatives of major groups, as set out in Agenda 21. The inclusive nature of such a process would, we believe, promote transparency, and that can only be beneficial for the Assembly's consideration of these important matters.

On the appointment of the two co-chairpersons, the AOSIS countries wish to join other delegations in expressing the hope that these appointments will be made at an early stage. Indeed, it is in the best interest of the process that the procedural issues pertaining to the meetings be carried out in a swift and prudent manner to allow the actual meeting period to be dedicated to more substantive work. We further support the notion reflected in the draft resolution that, with regard to the appointment of the co-chairpersons, there needs to be representation from both developed and developing countries.

The participation of small island developing States in this consultative process is noted in the draft resolution. It is vital that small island States be supported so as to ensure their full and effective participation in this very important process. In this connection, we echo the sentiments expressed in the draft resolution and respectfully encourage States and international organizations to support efforts in this regard.

We are aware that this draft resolution is attempting to break new ground in the area of oceans-and-seas affairs within the United Nations system. This reaffirms our belief that the United Nations system is best placed to play a facilitating and coordinating role. We look forward to actively participating in the implementation of this draft resolution.

We also take this opportunity to express our thanks and appreciation to Mr. Hanif of Pakistan and Mr. Holmes of Canada for their able coordination of the discussions on this draft resolution.

We are pleased to see that consideration has been given to the issue of waste dumping, which is of paramount importance to small island States. Our isolation, oceanic location and dependence on marine resources make islands highly vulnerable to contamination from all forms of waste. It is therefore important, within the context of sustainable development, to combat and to prevent marine pollution from all types of waste.

We also welcome the other two draft resolutions submitted — under agenda item 40 (a), the omnibus law of the sea draft resolution (A/54/L.31) and under item 40 (b), the draft resolution on the Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (A/54/L.28). The importance of these draft resolutions to our group of countries is obvious.

The draft resolution under item 40 (a) notes that small island developing States need assistance in the preparation necessary to fulfil the relevant provisions of the Convention. We urge States to assist small island countries in our endeavours to implement the Convention.

With regard to item 40 (b), we continue to call on States to ratify or accede to the fish stocks Agreement. Our own countries have made legislative amendments as well as institutional adjustments to allow for national laws and arrangements to be in line with the fish stocks

Agreement, the law of the sea Convention and other relevant international agreements. National policies on sustainable management of tuna resources are also being developed. All these would indicate the seriousness with which small island developing States treat the issue of sustainable harvesting of their marine resources.

The draft resolution notes that straddling fish stocks and highly migratory fish stocks have been subject to heavy and little-regulated fishing efforts and that some stocks continue to be overfished. Let me say that we support fully the proposals of the draft resolution aimed at correcting and resolving these problems, including unauthorized fishing. In areas where there is an absence of reliable data being collected with reference to straddling fish stocks and highly migratory fish stocks, the draft resolution calls for the application of the precautionary principle, in accordance with the Agreement. This is absolutely essential and we support fully the application of that principle.

Finally, the countries of the Alliance of Small Island States group would like to thank all coordinators and all who have actively participated in the discussions resulting in these draft resolutions.

Mr. Widodo (Indonesia): At the outset, my delegation would like to express its appreciation to the Secretary-General for the reports contained in documents A/54/429 and A/54/461. Allow me also to avail myself of this opportunity to extend our gratitude to the staff of the Division for Ocean Affairs and the Law of the Sea, as well as other relevant bodies.

Mr. Baali (Algeria), Vice-President, took the Chair.

Standing on the threshold of the next millennium, it is fitting to recall that the United Nations Convention on the Law of the Sea stands out as one of the significant achievements of the international community towards establishing an effective global regime for the sustainable use and development of the seas and oceans and their resources. This landmark instrument also takes into account diverse interests of States in the use of the sea — be they strategic, political or economic — which are of fundamental importance to the maintenance and strengthening of international peace and security. Hence, it is heartening to note that, since the entry into force of the Convention, the total number of States parties has increased to 132, bolstering our hopes and expectations of reaching the goal of securing universal adherence to this legal instrument.

Once again, this year has been an important one for developments regarding law of the sea matters. In this regard, it is pertinent to note that the International Seabed Authority adopted the draft Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, commonly called the mining code. Fruitful discussions have also resulted in a revised text. Thus, we remain confident that approval of the code will facilitate the commencement of entry by the Authority into contracts for exploration with pioneer investors that have been approved since 1997. Other important developments include the adoption of guidelines for the assessment of the possible environmental impact arising from such exploration. Likewise, the Commission on the Limits of the Continental Shelf adopted the final form of the Scientific and Technical Guidelines, aimed at providing guidance to the coastal States on the technical nature and scope of data and information to be submitted to the Commission. For developing countries in particular, training is essential to attaining the necessary skills for preparing submissions to the Commission; so, too, is the establishment of a trust fund to extend assistance to developing countries and thereby enable their participation. As to the Meetings of States Parties, it is hoped that consensus can be achieved on rules dealing with their deliberations regarding issues of substance.

Harmonizing national legislation with the Convention is a prerequisite to ensuring its unified character, as has been reaffirmed by the General Assembly, most recently in its resolution 53/32. As an archipelagic State, Indonesia attaches great importance to the Convention. Ever since Indonesia enacted Law No. 17 regarding the ratification of the Convention, it has committed itself to the task of regularly reviewing its national legislation with a view to bringing it into harmony with the Convention's obligations and to providing new regulations for the implementation and enforcement of provisions of the Convention that have not yet found a place in its national laws.

As a maritime country whose islands and the surrounding seas form an ecological entity, Indonesia remains concerned about the degradation of its marine environment. Its preservation has therefore been a national policy priority. The principles underlying Part XII of the Convention and the goals set forth in chapter 17 of Agenda 21 are reflected in the Broad Guidelines for State Policy by the Indonesian People's Consultative Assembly. In this regard, the Indonesian Bureau of Marine Affairs is charged with the task of promoting the

integrated planning and development of marine and coastal areas.

Technological innovations have exposed vast areas of the oceans to unprecedented levels of commercial exploitation. Among these, fishery resources have come under tremendous pressure — indeed, under the imminent threat of extinction. Indonesia therefore fully supports the provisions of the Rome Declaration on the Implementation of the Code of Conduct for Responsible Fisheries that was adopted by the Food and Agriculture Organization of the United Nations (FAO) at the Ministerial Meeting of Fisheries in Rome on 10 and 11 March 1999. In this regard, it is pertinent to note that they declared, *inter alia*, the need to accord high priority to achieving the sustainability of both capture fisheries and aquaculture within the framework of the ecosystem approach, bearing in mind the needs of the developing countries as well as for the FAO to assist third world nations in implementing the Code of Conduct, while inviting donor countries to enhance their financial support towards this end.

Given the unique role of small island developing countries as sanctuary to innumerable ecological and bio-diverse resources in large areas of the world's oceans, as well as the formidable challenges faced in overcoming the adverse effects of climate change, the special session of the United Nations General Assembly for the review and appraisal of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States was convened on 27 and 28 September 1999.

Indonesia, as a country that comprises over 17,000 islands, most of them sharing the development challenges and constraints that are weighing down the small island developing States, fully supports the system-wide implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, the major outcome of the Global Conference in Bridgetown, Barbados in 1994. The special session afforded the opportunity for a comprehensive review to reflect on, assess and recommit ourselves to this valuable Programme and muster the will to move it forward.

In the context of strengthening regional cooperation, Indonesia has sponsored a workshop series on "Managing Potential Conflict in the South China Sea", with the goal of turning potential conflict in the area into actual and mutually beneficial cooperation. We believe that the workshop series has contributed to the growth of confidence among the protagonists. As a result of the

workshop process, we now have a sizable and still growing body of concrete and constructive proposals for cooperation in the South China Sea in fields that offer much common ground and promise large benefits to all peoples of the area. With consideration for practicality, cost-effectiveness and still-prevailing sensitivities, the workshop started with projects that are not controversial and on which there is already solid agreement, and from there it has been working its way forward step by step.

The latest of the workshops, held in Jakarta in December 1998, agreed, among other things, on projects on biodiversity. It also agreed that the Working Group on Legal Matters be tasked to make a study on guidelines and a code of conduct on the South China Sea. The workshop cited confidence-building measures as essential to the success of efforts to minimize tension, prevent conflict, promote cooperation and create an atmosphere conducive to the peaceful settlement of disputes. The participants also gave recognition to the importance of activities to enhance communication and ensure safety of navigation and shipping.

Crimes at sea, including piracy and armed robbery, have escalated in recent years. This menace should be eradicated. Toward this end, the International Maritime Organization (IMO) has amended its circulars on recommendations to Governments for preventing and suppressing piracy and armed robbery at sea and on guidance to ship owners and ship operators, ship masters and crews on preventing and suppressing acts of piracy and armed robbery against ships. We also appreciate these efforts and other IMO initiatives in this field. In addressing this daunting problem, Indonesia is of the view that regional cooperation is a *sine qua non* to combat it. Within this framework, we have worked with member States of the Association of South-East Asian Nations (ASEAN) through the ASEANPOL data base system to pool our resources in finding an effective way to eliminate these crimes. We have also concluded bilateral agreements with neighbouring States to enhance cooperation to suppress such crimes at sea, including the establishment of joint surveillance arrangements.

In the light of the fact that oceans and its resources have been declared to be the common heritage of mankind, we fully support the endeavours of the United Nations Educational, Scientific and Cultural Organization (UNESCO) towards a convention for the implementation of the provisions of the Convention relating to the protection of underwater heritage, as well as ensuring

that such an instrument would be in accordance with the relevant provisions of the Convention.

Finally, the Indonesian delegation is pleased to cosponsor, as it has in previous years, the draft resolution contained in document A/54/L.31, and we hope that all Member States will lend it their support.

The Acting President: In accordance with General Assembly resolution 51/204 of 17 December 1996, I call on the President of the International Tribunal for the Law of the Sea, Mr. Chandrasekhara Rao.

Mr. Rao (International Tribunal for the Law of the Sea): On behalf of the International Tribunal for the Law of the Sea, I wish to express my appreciation for the opportunity given to me to address the General Assembly at this session in connection with the discussion of the item on oceans and the law of the sea. I extend to Mr. Theo Ben Gurirab my personal congratulations, and those of the Tribunal, on his election as the President of the General Assembly. Under his leadership, the Assembly has been successfully advancing its work at this session.

The Tribunal was established with 21 judges on 1 October 1996. The terms of office of seven judges, who were elected for a three-year term, expired on 30 September 1999. The first triennial election to fill the places of these seven members was held on 24 May 1999. During the eighth session of the Tribunal, held in late September and early October 1999, the judges of the Tribunal elected Judge P. Chandrasekhara Rao as the President and Judge Dolliver Nelson as the Vice-President. Judge Tullio Treves was elected as the President of the Seabed Disputes Chamber.

The Tribunal has had a very productive year since the former President of the Tribunal, Judge Thomas A. Mensah, addressed this body at its fifty-third session. Over the last 12 months, the Tribunal has made important progress in consolidating its special position in dealing with disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea. In 1999, the Tribunal delivered its first judgment on the merits in the *M/V Saiga* (No. 2) case, *Saint Vincent and the Grenadines v. Guinea*; and an Order in the Southern Bluefin Tuna cases, *New Zealand v. Japan* and *Australia v. Japan*.

The Tribunal is part of the system for the peaceful settlement of disputes envisaged in the Charter of the United Nations. Indeed, it finds its origins in the efforts

sponsored by the United Nations, which culminated in the adoption of the United Nations Convention on the Law of the Sea. The Convention does not provide a single body for adjudicating law of the sea disputes but provides for a number of alternative means for the settlement of disputes. Nevertheless, the Tribunal, composed as it is of persons of recognized competence in the field of the law of the sea, is accorded by the Convention a pre-eminent position in the matter of settlement of law of the sea disputes. This position is confirmed by, among other things, the prescription of compulsory jurisdiction of the Tribunal in respect of certain matters and the extension of the Tribunal's jurisdiction to entities other than States. The Tribunal is given a special competence to hear applications for the prompt release of vessels and crews under article 292 and to deal with requests for provisional measures under article 290, paragraph 5, of the Convention. These compulsory jurisdictions are unique in international law. The Seabed Disputes Chamber of the Tribunal also enjoys compulsory jurisdiction in respect of certain disputes referred to in Part XI, section 5 of the Convention.

Above all, it is worth noting that the International Tribunal for the Law of the Sea is a standing court consisting of 21 judges with recognized competence in the field of the law of the sea. The Tribunal is a world court that is designed by the United Nations Convention to play a central role in the resolution of law of the sea disputes.

The Tribunal has already dealt with two cases in which it has been called upon to exercise its compulsory jurisdiction under article 290, paragraph 5, and article 292 of the Convention. It has also prescribed provisional measures under article 290, paragraph 1, and has heard its first case on the merits. The judgment in the *M/V Saiga* (No. 2) case, delivered by the Tribunal on 1 July 1999, dealt with many important issues under the Convention, including the freedom of navigation and other internationally lawful uses of the seas, commercial activities in the exclusive economic zone, the enforcement of customs laws and the right of hot pursuit.

The Southern Bluefin Tuna cases were the first in which provisional measures were prescribed under article 290, paragraph 5, of the Convention. In these cases, the provisional measures were requested in connection with important issues of conservation and management of a highly migratory fish stock. The requests for provisional measures were submitted by both New Zealand and Australia on 30 July 1999, and public hearings, involving

the use of courtroom multimedia facilities, were held on 18, 19 and 20 August. The decision of the Tribunal was delivered one week later, on 27 August 1999. As well as providing the Tribunal with an opportunity to scrutinize the scheme of the Convention on a wide range of issues, these cases also permitted it to test the efficacy of its own rules of procedure and methods of working.

It is significant that the establishment of the Tribunal took place during the United Nations Decade of International Law. This Decade has witnessed momentous changes in international law, and the report of the Secretary-General faithfully records them.

I wish to take this opportunity to express my sincere thanks and appreciation to Secretary-General Kofi Annan for the continuing support provided to the Tribunal and for his interest in its activities. I wish also to express my appreciation and thanks to the Legal Counsel of the United Nations, Mr. Hans Corell, for his ongoing support. The Tribunal is deeply appreciative of the continuing assistance rendered it by the Division for Ocean Affairs and the Law of the Sea. I acknowledge the important contribution of the Division in posting promptly the records of the Tribunal and the verbatim transcripts of the hearings in the cases before it on the website of the United Nations within hours of the close of each daily session during the hearings in the *M/V Saiga* (No. 2) case and in the Southern Bluefin Tuna cases.

The Tribunal wishes to add its support to the nineteenth preambular paragraph of draft resolution A/54/L.31, which expresses the appreciation of the General Assembly to the Secretary-General for his efforts in support of the Convention and assistance in the functioning of the institutions created by the Convention.

On behalf of the Tribunal, I wish to thank the sponsors of the draft resolution for noting in operative paragraph 7 the continued contribution of the International Tribunal for the Law of the Sea to the peaceful settlement of disputes and for underlining the Tribunal's important role and authority concerning the interpretation or application of the Convention. I wish to express my sincere appreciation to all delegations which spoke in support of the Tribunal.

As the eighth preambular paragraph of the draft resolution states, the financial situation of the Tribunal is a source of concern for us. Operative paragraph 13 underlines the importance of prompt payments of contributions by States parties to the effective functioning

of the Tribunal. Timely payments of contributions have a vital bearing on the promotion of the rule of law within the framework of the United Nations Convention on the Law of the Sea. In this connection, I join the appeal made in operative paragraph 13 to all States parties to the Convention to pay their assessed contributions to the Tribunal in full and on time in order to ensure that it is able to carry out its functions as provided for in the Convention.

The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea has to date been signed by 21 States parties; two States parties have ratified it. The Agreement was closed for signature on 30 June 1999 and is open for ratification or, as the case may be, for accession. For the Agreement to enter into force, at least 10 instruments of ratification or accession need to be deposited with the Secretary-General of the United Nations.

I would like to emphasize that the early entry into force of the Agreement would greatly facilitate the work of the Tribunal. I welcome operative paragraph 12 of draft resolution A/54/L.31, which calls upon States that have not done so to consider ratifying or acceding to the Agreement. I would also like to point out that the Agreement permits a State which intends to ratify or accede to the Agreement to notify the depositary at any time that it will apply the Agreement provisionally for a period not exceeding two years.

On behalf of the Tribunal, I wish to take this opportunity to express special appreciation to the Government of the Federal Republic of Germany and to the senate of the Free and Hanseatic City of Hamburg for the excellent cooperation extended to us. The negotiations between the Federal Government and the Tribunal concerning the conclusion of a headquarters agreement for the Tribunal have yet to be concluded. We hope this agreement will soon be concluded.

I wish to note that the Tribunal plans to move into its permanent premises in Hamburg about five or six months from now. We hope that this facility will contribute to the effective functioning of the Tribunal. The planning for a ceremonial opening of the building is under way.

Our court is now three years old. Within this short period of its existence, it has been able to prepare efficient, cost-effective and user-friendly rules, guidelines and procedures for promoting the settlement of disputes

without unnecessary delay or expense. We hope that States and other entities will continue to make full use of the Tribunal for achieving rapid settlement of the law of the sea disputes and ensuring uniform and consistent application of the United Nations Convention on the Law of the Sea.

We will soon enter the first century of the third millennium. On this occasion, I wish to assure this body that it shall be the constant endeavour of the Tribunal to promote the rule of law in matters relating to the oceans, in accordance with the United Nations Convention on the Law of the Sea and other rules of international law not incompatible with the Convention.

I wish to thank the President and delegates of the Assembly again for enabling me to address this body on a subject of importance to the Tribunal.

The Acting President: In accordance with General Assembly resolution 51/6 of 24 October 1996, I now call on the Secretary-General of the International Seabed Authority, Mr. Satya Nandan.

Mr. Nandan (International Seabed Authority): Mr. Vice-President, it gives me great pleasure to see you presiding over this meeting of the Assembly since you are an old law of the sea hand.

I am grateful for this opportunity to address the General Assembly on behalf of the International Seabed Authority. Allow me to express my appreciation to the Secretary-General for his comprehensive report contained in document A/54/429. Once again, my colleagues in the Division for Ocean Affairs and the Law of the Sea have worked hard to produce an extremely useful and detailed report on ocean affairs.

I wish to express my appreciation for the various references to the Authority in draft resolution A/54/L.31, which is now before the Assembly. In operative paragraph 10 the Assembly emphasizes the importance of the commitment of the members of the Authority to work expeditiously towards the adoption of the draft regulations on prospecting and exploration for polymetallic nodules. The adoption of the draft regulations, which have been before the Council of the Authority since August 1998, is essential and urgent in order to enable the Authority to issue the first set of seven licenses or contracts for exclusive exploration for polymetallic nodules by the seven applicants who were registered as pioneer investors by the Preparatory Commission. The plans of work submitted by

the seven registered pioneer investors were approved by the Council in August 1997, thus bringing those pioneer investors from the interim regime in resolution II of the Conference into the definitive regime created by the Convention and the 1994 Agreement relating to the implementation of Part XI of the Convention.

The adoption of the regulations would also enable the Authority to begin to focus on the potential for exploration for and exploitation of resources other than polymetallic nodules in the international seabed area. Although international attention has previously focused on polymetallic nodules, a considerable amount of research has taken place with respect to deposits of hydrothermal polymetallic sulphides and cobalt-bearing crusts in parallel with research on polymetallic nodules. Some of the deposits of such minerals found in the international seabed area have potential for development. The study of these other mineral resources has become an imperative in light of the request made to the Authority, pursuant to article 162, paragraph 2, of the Convention and the provisions of the 1994 Agreement, to adopt rules, regulations and procedures for exploration for hydrothermal polymetallic sulphides and cobalt-bearing crusts. The relevant provisions state that, on a request by any member of the Authority, the Council shall complete the adoption of such rules, regulations and procedures within a period of three years. The Authority received such a request from a member State during its August 1998 session.

I am also pleased that the draft resolution urges States parties to the Convention to pay their assessed contributions to the Authority and to the International Tribunal for the Law of the Sea in full and on time. As far as the budget of the Authority for 1999 is concerned, I am pleased to inform the Assembly that the response by Member States has been very positive and that, as a result of stringent financial controls and savings in a number of areas, the financial situation of the Authority has improved since last year. There remains, however, a significant amount outstanding from previous years' contributions, including contributions from some former provisional members of the Authority. In order to ensure the continued financial viability of the Authority, it is important that all States demonstrate their support for the Convention by fulfilling their outstanding obligations promptly.

With the signature in August this year of the Headquarters Agreement between the Authority and the Government of Jamaica, and the adoption by the Council

of the Financial Regulations of the Authority, I am pleased to report that the Authority has virtually completed the preparatory phase of its establishment. The necessary internal rules and regulations and administrative measures are in place and the emphasis now is on the development of its substantive work programme. Thus in August this year the Authority convened in Kingston a workshop on the design and development of technology for seabed mining. The workshop was attended by experts from pioneer investor countries as well as experts from other countries and representatives of the private sector. The proceedings of the workshop will be published in due course. This year the Authority also published the full record of proceedings of its 1998 workshop on the development of guidelines for the assessment of potential environmental impacts from deep seabed mining. Copies of this publication have been made available to all member States.

As I mentioned earlier, the Authority will soon be working on draft regulations for prospecting and exploration for resources other than polymetallic nodules. In this regard, it is intended during 2000 to convene a third workshop on the status of knowledge of and research on such resources in the international seabed area. A considerable amount of research has been carried out, and it is hoped that the workshop will be useful in drawing together the results of such research and identifying areas of potential interest to members of the Authority. This workshop will take place preceding the August session of the Authority next year.

I should like to take this opportunity to mention that one of the major tasks for the Assembly of the Authority during 2000 will be to undertake a systematic review, under article 154 of the Convention, of the manner in which the international regime for the Area has operated in practice. The report of the Secretary-General of the Authority will deal with this matter and will provide a useful basis for such a review.

The final comment I wish to make in relation to draft resolution A/54/L.31 is in respect of operative paragraph 12, which calls upon States which have not already done so to ratify or accede to the Protocol on the Privileges and Immunities of the Authority. As the representative of Jamaica noted at the 61st meeting, the Protocol forms an essential complement to the recently concluded Headquarters Agreement, and I would urge all member States to consider signing and ratifying the Protocol at the earliest opportunity. The Protocol is of benefit to the representatives of member States who participate in the meetings convened by the Authority, as it deals with the

immunities and privileges of such representatives on their journeys to and from meetings as well as while they are in the territory of the host country.

Turning to draft resolution A/54/L.32, which is now before the Assembly, it is indeed encouraging that the General Assembly is about to take a decision on the matter of coordination and cooperation, at the global level, of ocean affairs. This is, of course, a matter which was referred to in a number of statements during the debate on this item last year, including my own statement, and in the reports of a number of organizations and bodies.

I am grateful that the matter was further discussed and considered at the Commission for Sustainable Development, following which a recommendation was made by the Economic and Social Council. I particularly appreciate that the General Assembly has acted in a timely manner, for I believe that the oceans will become an area of intense activity as the new millennium progresses. This will come about as a result of the increase in demand for food resources and more rapid communications and transportation, as well as the demand for mineral resources from the sea. It is inevitable that major developments in technology and advances in scientific research on the maritime environment will accelerate these activities.

In this regard it might be observed that the international community has always taken the oceans for granted, so much so that it is prepared, as is currently the case, to spend billions of dollars in research in outer space while less than one tenth of that amount is allocated to research on the more immediate environment of the oceans. Clearly this must change as pressure on the ocean environment grows and the need to discover new uses for the oceans and to develop their potential becomes more urgent. This, of course, underscores the need for better coordination and cooperation in the area of oceans policies at the national, regional and global levels, as well as the development and implementation of policies that are coherent and cost-effective. Increased cooperation and coordination in the area of research on the oceans and their resources will also assume greater significance, together with the need to reconcile the competing uses of the oceans and the need to ensure the protection and preservation of the marine environment.

The establishment of the consultative process referred to in paragraph 2 of the draft resolution represents the beginning of a new process. I hope that it

will work to re-establish the focus on the oceans that is justly deserved. I hope also that the process will succeed in drawing together economic, social, environmental, legal and political aspects of ocean governance for the benefit of the global community as a whole. It is also to be hoped that the implementation of the process will inspire States to undertake better coordination of ocean affairs at the national level. The end result of the consultative process should be to inspire all sectors in Governments and international organizations to work coherently together towards a common purpose within the broad framework provided by the 1982 Convention. Viewed in this light, it is only logical that there should be a global body to undertake such a review, and the appropriate body for this purpose must be the General Assembly.

As far as participation in the consultative process is concerned, it is important that the process should be open not only to States, but also to other stakeholders and those who feel they have a contribution to make to the debate. It is particularly important that there should be closer cooperation between all the various agencies and bodies active in ocean affairs. While these organizations and bodies all have their own mandates, they are nevertheless working within the same general framework provided by the 1982 Convention.

It is my hope that the procedures to be adopted for the consultative process will be practical and evolutionary and will not become an impediment to the basic goal that we have set, which is to enhance cooperation and coordination. The present procedures indicated in paragraph 3 of the draft resolution should be flexible and open to future modification and development in response to experience and practical necessity.

An essential element in the establishment of such a consultative mechanism is the effective and constructive participation of all organizations, agencies and bodies engaged in dealing with various aspects of ocean affairs. I hope that in obtaining the necessary information for the preparation of the report of the Secretary-General, every effort will be made to engage all these organizations, bodies and agencies. Furthermore, their active participation in the consultative process itself should be encouraged when matters relevant to their competence are under discussion. The rules of procedure adopted by the consultative process should encourage such participation and not relegate the representatives from such organizations and bodies to the status of interested observers, as is the case under the present rules and practices. Such active participation and representation is important in order that

member States can be provided with a basis and background for the discussion of issues. Likewise, special arrangements should be made to allow non-governmental organizations with specific competencies to make their contributions in such a manner as may be appropriate and constructive.

It is also necessary that the agenda should be broad-based and formulated in a manner as would reflect the various sectoral competencies. While the agenda should not limit the debate, it should nevertheless be helpful in identifying some of the key areas of current interest which should be the focus of discussion in the consultative process. If appropriate, a summary of the current developments on such issues may be provided in the form of an annotation to the agenda.

The difficulty of preparing a new, comprehensive report by the Secretary-General between the time the General Assembly meets and the meetings of the consultative process must be recognized. In fact, much of the information contained in the present report, for instance, will remain relevant and possibly current for the meeting in May. It would probably be helpful for the Secretariat just to supplement this report with updated information as may be appropriate and, if possible, to identify the main trends in ocean developments based on the facts already contained in the present report.

As far as the substance of the consultative process is concerned, it is to be hoped that the consultations will prove successful in identifying issues of concern which need to be addressed by the General Assembly, as well as areas where coordination and cooperation at the intergovernmental and inter-agency level need to be improved. The process should also have the possibility of acting as a catalyst for new initiatives in the law of the sea and ocean affairs that would enhance and improve the implementation of the basic framework contained in the 1982 Convention.

As one who was closely associated with the negotiations and adoption of the Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, I am particularly pleased to see draft resolution A/54/L.28 and the associated report (A/54/461) of the Secretary-General before the Assembly. It is indeed encouraging that the Agreement has made considerable progress and is at the threshold of entering into force. On the basis of the indications from a number of States that are presently in the process of becoming parties to the Agreement, it

would appear that we may confidently expect the Agreement to enter into force during the year 2000.

It is perhaps even more heartening to note that the substance of the Agreement is now being adopted and implemented in the context of various regional fisheries organizations. Several such organizations are currently reviewing their mandates in the light of the new Agreement. I am also very pleased to see that new fisheries organizations are being established with a view to implementing the provisions of the Agreement. These include the current negotiations taking place in the south-east Atlantic and the in the central and western Pacific. Both these processes of negotiation are likely to conclude in the near future, and we may expect to see the establishment of new fisheries commissions in these two very important fisheries regions of the world during the year 2000.

These new organizations will provide important models for fisheries conservation and management. In both cases, the negotiations have been characterized by a high degree of cooperation between coastal States and distant water fishing nations, and a high degree of agreement on the basic principles of conservation and management as set out in the Agreement. These encouraging signs are indeed grounds for optimism. I hope that the process of implementation of the Fish Stocks Agreement will continue in other regions, in the interest of better management and conservation of the precious fisheries resources that remain in our oceans.

In concluding, I wish to thank earlier speakers for their expressions of support for the work of the Authority. The level of support from Member States is indeed very encouraging, and I also wish to express my appreciation to all Member States for their constructive participation in the work of the Authority. I would like to take this opportunity to urge Member States to ensure that they are represented at the meetings of the Authority in order that it is able to discharge its responsibilities effectively, since the procedures prescribed in the Convention require the presence of a majority of States parties in order that the Authority can take decisions.

The Acting President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolutions A/54/L.31, A/54/L.28 and A/54/L.32.

I shall now call on those representatives who wish to speak in explanation of vote or position before action is taken on the draft resolutions. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Uykur (Turkey): Of the three draft resolutions before us under the agenda item entitled "Oceans and the law of the sea", Turkey will vote against the draft resolution contained in document A/54/L.31, entitled "Oceans and the law of the sea". The reason for my delegation's negative vote is that some of the elements contained in the United Nations Convention on the Law of the Sea that have prevented Turkey from approving the Convention are still being retained in this draft resolution.

Turkey supports international efforts to establish a regime of the sea which is based on the principle of equity and which is acceptable to all States. However, the Convention does not make adequate provisions for special geographical situations and, as a consequence, is not able to establish an acceptable balance between conflicting interests. Furthermore, the Convention makes no provision for registering reservations on specific clauses. Although we agree with the Convention in its general intent and with most of its provisions, we are unable to become a party to it, owing to these serious shortcomings.

This being the case, we cannot support the draft resolution, which provides that States should harmonize their national legislation with the provisions of the Convention on the Law of the Sea to ensure the consistent application of those provisions.

Regarding the draft resolution entitled "Results of the review by the Commission on Sustainable Development of the sectoral theme of 'oceans and seas': international coordination and cooperation", contained in document A/54/L.32, I would like to state at the outset that Turkey welcomes such initiatives aiming at promoting international coordination and cooperation. My delegation would go along with the main intent of this draft resolution, which envisions the establishment of an informal consultative process open to the participation of all States Members of the United Nations.

Nevertheless, we would like to set on record our reservation regarding the references to the United Nations Convention on the Law of the Sea, both in the

preambular paragraphs and in one of the operative paragraphs of this draft resolution. In particular, the references to the legal framework provided or set out by the Convention can address only the parties to the Convention and do not in any way change Turkey's position with regard to the Convention, nor do they have any effect upon the existing rights and obligations of Turkey in the field of the law of the sea.

In our view, international cooperation and coordination in this field should be sought among all States, regardless of whether they are a party to a certain instrument. Moreover, an efficient cooperation can be achieved only if the views of all States are taken into account, without expecting them to adopt a particular framework which could have further connotations beyond their will. In fact, the same understanding is inherent in the draft resolution itself, by which an informal consultative process is to be established that is open to all States Members of the United Nations.

With this understanding and with the aforementioned reservation, Turkey could go along with the ideals of this draft resolution and looks forward to taking an active part in the process established therein.

As to the draft resolution entitled "Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks", contained in document A/54/L.28, we would like to reaffirm our position with respect to the Convention on the Law of the Sea.

The Acting President (*spoke in French*): I call on the representative of France, who wishes to speak on a point of order.

Mr. Colas (France) (*spoke in French*): The delegation of France would like to draw the attention of the Secretariat to the fact that the content of the French-language version of draft resolutions A/54/L.28, L.31 and L.32 on "Oceans and the law of the sea" differs in several respects from that of the English original. The French delegation will transmit to the Secretariat in writing what corrections might be made to the French-language version in the three draft resolutions to eliminate these discordances with the English original.

The Acting President (*spoke in French*): The Secretariat takes note of the remarks made by the French delegation.

May I remind him that a point of order should relate to the voting procedure and not to any other issue.

Mr. Miyamoto (Japan): Allow me to explain my Government's position concerning the draft resolution contained in document A/54/L.31.

Japan attaches great importance to the legal framework of the United Nations Convention on the Law of the Sea. For this reason, my delegation will vote in favour of draft resolution A/54/L.31.

However, this shall not prejudice my Government's position concerning the ongoing dispute on the southern bluefin tuna.

The Acting President: We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take decisions on draft resolution A/54/L.31, A/54/L.28 and A/54/L.32.

We first turn to draft resolution A/54/L.31, entitled "Oceans and the law of the sea".

We shall now begin the voting process.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Belarus, Belgium, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan,

Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia

Against:

Turkey

Abstaining:

Colombia, Ecuador, Peru, Venezuela

Draft resolution A/54/L.31 was adopted by 129 votes to 1, with 4 abstentions (resolution 54/31).

[Subsequently, the delegations of Israel and Tajikistan informed the Secretariat that they had intended to vote in favour.]

The Acting President: We turn next to draft resolution A/54/L.28, entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

I should like to inform the Assembly that the following Member States have become additional co-sponsors to this draft resolution: Argentina, Fiji, Iceland, Marshall Islands, Micronesia, New Zealand, Philippines, Samoa, Solomon Islands.

May I take it that the Assembly decides to adopt draft resolution A/54/L.28?

Draft resolution A/54/L.28 was adopted (resolution 54/32).

The Acting President: We now turn to draft resolution A/54/L.32, entitled "Results of the review by the Commission on Sustainable Development of the sectoral theme of 'oceans and seas': international coordination and cooperation".

I give the floor to the representative of the Secretariat.

Mr. Perfiliev (Director, General Assembly and Economic and Social Council Affairs Division): I should like to inform members that by paragraph 2 of draft resolution A/54/L.32, the General Assembly would decide, consistent with the legal framework provided by the United Nations Convention on the Law of the Sea and the goals of chapter 17 of Agenda 21, to establish an open-ended informal consultative process in order to facilitate its annual review of developments in ocean affairs by considering the Secretary-General's report on oceans and the law of the sea, and to identify particular issues to be considered by the General Assembly, with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency level should be enhanced.

By paragraph 3 (b) the General Assembly would decide that the meetings will take place for one week each year and in 2000 will be held from 30 May to 2 June, and by operative paragraph 6 would request the Secretary-General to provide the consultative process with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea, in cooperation with other relevant parts of the Secretariat, including the Department of Economic and Social Affairs, as appropriate.

It is anticipated that two open-ended consultative meetings on oceans and the law of the sea would be held in New York, one from 30 May to 2 June 2000 — four days, two meetings per day with interpretation in six languages — and one in May 2001 — five days, two meetings per day with interpretation in six languages. There are no additional requirements for documentation. The documentation that is being submitted to the General Assembly under the agenda item "Oceans and the law of the sea" would be used at the consultative meetings.

The conference-servicing requirements of the above meetings are estimated at \$125,810 at full cost. The extent to which the Organization's capacity would need to be supplemented by temporary assistance resources can be determined only in the light of the calendar of conferences and meetings for the biennium 2000-2001. However, provision is made under the relevant section on conference services of the programme budget for the biennium 2000-2001 not only for meetings programmed at the time of budget preparation but also for meetings authorized subsequently, provided that the number and distribution of meetings are consistent with the pattern of meetings of past years. Consequently, should the General

Assembly adopt the draft resolution, no additional appropriation would be required.

Thus, should the Assembly decide to adopt draft resolution A/54/L.32, no additional appropriation would be required for the biennium 2000-2001.

The Acting President: May I take it that the General Assembly decides to adopt draft resolution A/54/L.32?

The draft resolution was adopted (resolution 54/33).

The Acting President: Before calling on delegations wishing to speak in exercise of the right of reply, may I remind members that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention, and should be made by delegations from their seats.

Mr. Hasmy (Malaysia): My delegation has taken note of the statements made by the representatives of Japan, the Philippines and Viet Nam relating to the South China Sea. As one of the claimant States to a part of the Spratlys, Malaysia has always emphasized the need to resolve the dispute concerning sovereignty over the Spratlys by peaceful means, without resorting to the threat or use of force. As a party to the 1992 Declaration on the South China Sea adopted by the Association of South-East Asian Nations (ASEAN), Malaysia will ensure that any action taken in the area does not violate the Declaration. Malaysia also supports efforts to resolve the dispute over the Spratlys in accordance with international law and the 1982 United Nations Convention on the Law of the Sea.

Malaysia is encouraged by the fact that all claimant States have accepted negotiations and dialogue as a means towards resolving their differences. Malaysia urges all claimant States to adhere to that principle and to refrain from actions that could adversely affect peace and stability in that area and that region.

Further, with regard to resolving disputes, Malaysia is of the view that States that are not parties to the dispute should not interfere in or attempt to influence the process of negotiations among the claimant States. In pursuing the principle of justice and fairness in negotiations among States, we believe that negotiations among two or more claimant States should be conducted on the basis of equality and mutual respect.

Malaysia welcomes ASEAN's efforts to conclude a regional code of conduct on the South China Sea. Malaysia

has actively participated in the discussions on a draft code of conduct, and will continue to make a positive contribution to those discussions with a view to final acceptance of the code by all concerned parties in the region.

On the issue of security in the Straits of Malacca, we would like to assure the international community that, for its part, Malaysia has taken the necessary measures to prevent and combat incidents of piracy and smuggling activities in that area, such as increasing aerial and naval surveillance. Similar measures have also been taken in respect of Malaysia's exclusive economic zone in the South China Sea. However, national efforts to combat piracy and smuggling activities in these areas can be fully effective only if supplemented by cooperative efforts on the part of neighbouring countries with the support and assistance of the international community.

Mr. Phan Truong Giang (Viet Nam): With regard to the Chinese Government's fishing ban in the Eastern Sea area, also known as the South China Sea, from 1 June 1999, our delegation wishes to take this opportunity to reaffirm the following. We have more than once stated that Viet Nam has sufficient historical and legal grounds to prove its indisputable sovereignty over the Hoang Sa (Paracel) and Truongsa (Spratly) archipelagos. I wish also to state that Viet Nam has full sovereign rights over its exclusive economic zones and continental shelves. Any activities by other countries in relation to the Hoang Sa (Paracel) and Truongsa (Spratly) archipelagos, as well as within Viet Nam's exclusive economic zones and continental shelves, without the agreement of the Vietnamese Government would be a violation of Viet Nam's sovereignty over and sovereign rights to those areas.

While promoting negotiations aimed at a fundamental and long-term solution to the dispute, the parties concerned should maintain stability on a status quo basis, exercise self-restraint and refrain from any acts that would further aggravate the situation.

Mr. Gao Feng (China): The Vietnamese delegation, in its exercise of the right of reply, made a reference to the Xisha and Nansha islands, on Chinese territory. The Chinese Government has made its position known on many occasions. Sovereign rights over the Xisha and Nansha islands are based on historical fact, and those rights are recognized by neighbouring countries in their official positions. All this is very clear to our neighbouring countries and to the international

community. Furthermore, the Chinese Government advocates that the sovereignty dispute over the Xisha and Nansha islands should be settled through peaceful means and that in the process all parties should refrain from taking any action that would complicate the issues. In the meantime, we are opposed to intervention in the dispute by nations outside the region, which would only further complicate the matter.

Mr. Sorreta (Philippines): Just briefly, I would like to refer briefly to some comments made just recently. The Philippines is a claimant to certain islands and features in the South China Sea. I will not burden this body with the clear basis of our claim. I will just say that the Philippines, contrary to what may have been stated here, does not recognize any other claim to the South China Sea. I would like to add that, at this very moment and in the coming days, the heads of States of the Association of South-East Asian Nations, together with the heads of State of one other claimant country and two other interested States in the region, will be meeting in Manila to take up the possibility of arriving at a regional code of conduct for the South China Sea. We look positively on this development and hope that every other State concerned with a peaceful resolution of this dispute will do likewise.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 40?

It was so decided.

Crown Prince Albert (Monaco), Vice-President, returned to the Chair.

Agenda item 22

Building a peaceful and better world through sport and the Olympic ideal

Draft resolution (A/54/L.26)

The Acting President (*spoke in French*): This is the fifth time the General Assembly has examined agenda item 22, entitled "Building a peaceful and better world through sport and the Olympic ideal". Since the adoption of resolution 48/10 on 25 October 1993, States Members have reaffirmed their attachment to the principles and ideals of *ekecheiria*, a tradition of ancient Greece that dates the ninth century B.C., according to which all conflicts would cease during an Olympic Truce from the seventh day before the

opening of the games until the seventh day after their closing.

The proliferation of conflicts, internal as well as international, of which civilian populations are the innocent victims, can only reaffirm to us the need to work towards the ideal embodied in that tradition by encouraging States, in conformity with the United Nations Charter, to resolve their differences through peaceful means.

To this end, Member States have continued to reinforce ties between the United Nations and the International Olympic Committee through the creation of joint programmes, especially in the areas of development, eliminating poverty, health and education, humanitarian assistance, protection of the environment and combating drugs.

Because of their common goals of promoting the harmonious development of humanity and international understanding, the United Nations and the International Olympic Committee dedicate themselves to imparting to young people around the world the principles of tolerance, solidarity, friendship, competition in diversity and respect for others.

I would like to add a personal note here. As President of Monaco's Olympic Committee, member of the International Olympic Committee and, above all, as an athlete who has had the privilege of representing my country in the Olympic Games, I would like to emphasize the great necessity of taking every occasion that arises to build a more peaceful and better world through sport. That is why I attach the greatest importance to the honour of presiding over this plenary meeting, which I hope will result in Member States' renewal of their support for this noble cause.

I give the floor to the representative of Australia to present the draft resolution A/54/L.26.

Mr. Kowalski (Australia): As an Australian citizen and an Olympian, I am greatly honoured to introduce this draft resolution, entitled "Building a peaceful and better world through sport and the Olympic ideal" to the General Assembly at its fifty-fourth session.

We are particularly honoured by the presence of His Highness Prince Albert of Monaco, in his capacity as Acting President of this plenary meeting. Prince Albert is not only an outstanding ambassador for his country and

the international Olympic Movement, he is also a former Olympic athlete himself.

Australia, as host of the twenty-seventh summer Olympics and the eleventh Paralympiad in Sydney in 2000, is proud to be the lead sponsor of this consensus-building draft resolution. The draft resolution has attracted 180 sponsors. In addition to those listed in the document before the Assembly, I would like to note the following sponsors: Afghanistan, Belgium, Cuba, Hungary, the Islamic Republic of Iran, the Lao People's Democratic Republic, Palau, the Republic of Moldova, Sao Tome and Principe and Vanuatu.

The draft resolution reaffirms the importance of the Olympic ideal in promoting international understanding and goodwill through sport and culture. More practically, it calls on all countries to observe the Olympic Truce during the period of the Olympic Games and to consider ways in which the Truce can be used beyond the Olympic period.

The draft resolution also recognizes the complementarity that exists between the principles of the United Nations and those of the international Olympic Movement.

Australia's commitment to the Olympic Movement is long-standing. We are one of only two countries, along with Greece, to participate in every Summer Olympic Games of the modern era. We will also be one of only five countries to host two Summer Olympic Games. The first was the Games of the XIV Olympiad in Melbourne in 1956.

Australia's commitment to the Olympic Movement is further reflected in our approach to the 2000 Games. The mission of the Games' organizers has been, from the outset, to deliver the world the most harmonious, athlete-oriented and culturally enhancing Games to date.

The 60-day festival of the Olympic and Paralympic Games in Sydney will reaffirm the true sporting values of dedication, courage, fair competition, compassion and respect for individual human worth. Above all, the festival will celebrate the athletic participation and achievements of women and men brought together from 200 countries from around the globe.

It is true that Australia is known widely as a sporting nation. The values of universality, inclusiveness and respect for diversity that are at the heart of the Olympic Movement are also integral to the Australian way of life.

As an Australian, not a day goes by that I do not drive by a sporting field, a swimming pool or a basketball court and see hundreds of kids participating in sport, emulating their heroes. Through seeing today's Olympians in action, the youth in our country know it is possible to be the best; but more importantly, they know they have the opportunity to do so. Not only are they furthering their sporting dreams, but life as well.

I learned so much as I grew up watching and admiring the Olympians before me. I learned about commitment, sacrifice, enjoying the opportunity, managing my time and giving 100 per cent, and most importantly I learned to be proud of what I do and who I am. These great messages that I was taught, and that I am continuing to teach the youth of the next millennium, are more than messages to do with sport; they are messages that help people in life no matter what field they choose to follow.

The staging of the Olympic and Paralympic Games will highlight Australia as an open, tolerant and inclusive community made up of migrants from more than 160 countries. Through cultural events staged in conjunction with the Games, the unique culture and heritage of our Aboriginal and Torres Strait Islander peoples will also be demonstrated.

The 2000 Games also demonstrate our strong commitment to environmental protection. In our statement on this agenda item two years ago, we noted our pledge to make the 2000 Games "the greenest Games ever".

In developing the site, Olympic organizers have integrated a wide range of ecologically sustainable and environmental initiatives. For example, the use of innovative energy-efficient and recycling technologies throughout the Olympic Village has helped create a model of environmentally friendly accommodation and the world's largest solar-powered housing development.

Australia is keen to ensure that the Sydney Summer Olympic Games and Paralympics reflect not only the ideals and values of the international Olympic movement, but also the values and principles enshrined in the United Nations Charter.

In this context, we will be proud to fly the flag of the United Nations at all competition sites of the Olympic and Paralympic Games. We see this as a symbolic gesture which will affirm the role of the United Nations

in building peace and cooperation among nations and will acknowledge the nexus between the United Nations and the international Olympic Movement.

In this context, Australia strongly supports and encourages the growing number of cooperative programmes of the International Olympic Committee (IOC) and the United Nations system that focus on promoting education, peace and human well-being through sport and physical activity. As noted in the draft resolution, the IOC and the United Nations have jointly developed initiatives in a range of fields, including development, health promotion, protection of the environment and poverty eradication.

Australia has a long-term commitment to international sports development programmes through partnership with Governments, sporting agencies and the IOC. These programmes have received special recognition from the IOC and the United Nations Educational, Scientific and Cultural Organization. For example, Australia has been active in assisting more than 30 countries in the South Pacific, southern Africa, South and South-East Asia and the Caribbean with sports development programmes. The focus of these activities is on capacity-building in the areas of physical education, community sports development and improved sports management and coaching systems.

The work of the IOC and the United Nations in the humanitarian field, through the Office of the United Nations High Commissioner for Refugees (UNHCR), is particularly special for me. As a goodwill sporting representative for UNHCR, I had an opportunity last year to participate in a programme to provide relief assistance to refugee camps on the Thailand-Cambodia border. We went into these two camps simply as strange and foreign faces, with the goal of letting the people there know that others around the world care about their plight. We were armed with various items of sporting equipment and educational materials to share with the refugees. It truly was an incredible experience. At the end of our stay we could see that our visit had been a success. The looks on the children's faces were ones I will never forget. A smile from ear to ear, a look of hope in their eyes — it was as satisfying as winning an Olympic medal.

Since my visit in October 1998, the camps have closed and all refugee groups have been voluntarily repatriated to Cambodia. It is great to see the work of the United Nations producing results on the ground, not only in terms of immediate care for displaced persons, but also through more enduring solutions that allow displaced

people, whether they be in Thailand or Macedonia, to return safely to their homes.

Australia warmly welcomes all countries to Sydney to compete in the 2000 Summer Olympic and Paralympic Games. It is through this friendly competition that the Olympic ideal finds real and practical expression. The friendships made through sport transcend political, religious, social and economic differences around the world.

Through my participation at the Olympic Games, world championships and numerous other competitions, I have travelled to all corners of the world and experienced many different customs and traditions. In this time I have met and become very good friends with my fellow competitors and with athletes in general. The great thing about being an athlete is that, regardless of your background and where you are from, we all have one thing in common: we all speak the same language, the language of sport. The Olympics and sport in general have helped me look past the barriers and rid my mind of any preconceived ideas I may have had.

Unfortunately, I cannot compete for Australia for ever, even though I would love to. What will last for ever, though, are the friendships with my South African, Japanese, Brazilian, German, American, Canadian, English and Dutch friends, to name but a few. The successful staging of the Games in Sydney, in an environment of world peace, makes a strong statement to the world that peaceful and harmonious relations between peoples and nations is a stronger force than war, hatred and bitterness.

I recommend this draft resolution to the members of the General Assembly.

Mr. Gounaris (Greece): I would like at the outset to extend our most sincere condolences to the people and the Government of Italy, as well as to the family of the late Amintore Fanfani.

It is a great honour for me to take the floor on the Olympic Truce, an old but still very contemporary concept, under agenda item 22, entitled "Building a peaceful and better world through sport and the Olympic ideal". The draft resolution introduced by Australia, the country hosting the Olympic Games in the year 2000 in Sydney, urges all Member States to observe the Olympic Truce and to revive the ancient Greek tradition of *ekecheiria*, dating back to the ninth century B.C.

The term *ekecheiria*, from the ancient Greek, literally translates as "holding hands". It indicates a suspension of hostilities or an armistice for a prescribed period of time during the Olympic Games in order to allow the athletes participating in the Olympic Games, as well as their relatives and thousands of ordinary pilgrims, to travel, unobstructed by fear, attend the legendary Games in peace and then return to their home towns in safety and security.

The first such resolution calling for the revival of the Olympic Truce was adopted unanimously in 1993, during the forty-eighth session of the General Assembly, after an appeal launched by the International Olympic Committee (IOC) and endorsed by 184 National Olympic Committees. This resolution is a landmark in the history of the Olympic ideal and; I dare say, in the annals of the General Assembly of the United Nations.

In 1995, the biannual resolution called for consideration of this item in advance of the Summer and Winter Olympic Games. In 1997, a similar resolution called for the observance of the Olympic Truce during the Nagano Winter Games and was sponsored by the vast majority of States Members of the United Nations.

Before the opening of the Nagano Winter Games in February last year, the Greek Minister of Foreign Affairs, Mr. George Papandreou, presented to the International Olympic Committee a proposal. It consisted of a set of organizational structures and a broad range of activities, including the establishment of an international Olympic Truce centre to be completed soon, under the auspices of IOC. The Greek suggestions are essentially aimed at infusing new life and impetus into the ancient tradition of the Olympic Truce. Furthermore, they seek to strengthen the role of the Olympic Movement and to promote peace and international reconciliation. Truce-making needs to be a universal effort. The International Centre for the Olympic Truce will offer a permanent forum for the promotion of truce in areas of conflict. This proposal was welcomed and endorsed fully by the International Olympic Committee.

Greece will have the distinct honour to host the 2004 Summer Olympic Games. Our endeavours will be inspired by the authentic tradition of the Olympic Games and the original values embodied in the Olympic ideal. In our bid, we pledged to help the revival of the Olympic Truce to realize, for two weeks and hopefully longer, the dream of world peace. The Olympic Truce, in our times, would serve to promote dialogue, reconciliation and the search for durable solutions to conflicts around the world.

Greece, together with the International Olympic Committee, has proposed the creation of "a moment" — a global moment. We hope that this Assembly, which has unanimously endorsed this project, will give its full support to the observance of the Olympic Truce during the Games of the year 2000 in Sydney, Australia and all future Olympics. It is to be hoped that this event will become a momentous festival of peace in our global village.

I would like to express our appreciation to the mission of Australia for giving us the honour to be the first co-sponsor of this draft resolution and extend our heartfelt thanks to the overwhelming number of delegations that have co-sponsored this draft resolution. The message of peace and reconciliation originating in this draft resolution will give us, I am sure, hope and vision towards the next millennium.

Mr. Baali (Algeria) (*spoke in French*): At the outset, on behalf of Algeria and the Group of African States, which I am chairing this month, I wish to convey to the Government and people of Italy my deep sympathy and heartfelt condolences over the death of Mr. Amintore Fanfani, an eminent Italian statesman who helped to shape the history of his country and Europe. Through his courageous stances and great humanism, he left his imprint on international relations in the second half of this century.

Every two years since 1993, the General Assembly has taken the felicitous initiative of considering the question of the Olympic ideal, which represents a source of inspiration and hope for humanity. It expresses the true essence of the will, through healthy and fair competition, to weave and strengthen the ties that bind and to replace rivalry and discord with social interaction and concord.

That is why, despite the many ordeals, conflicts and tragedies in which humanity has lacerated and occasionally shattered itself, we have remained deeply attached to this ideal, which is buoyed by the noble principles of understanding, tolerance, dignity and mutual respect.

Respect for these principles has assumed even greater significance in the twilight of this century, when, just as mankind has come to believe that it has mastered the forces of nature and its own destiny, the world has been brutally offered up to the twin demons of violence and hatred; has relived the horror of genocide and ethnic

cleansing; is profoundly threatened by the new threats of international terrorism and organized crime; and must tragically face the unbearable suffering of hundreds of millions of people living at the margins of civilization — if not of humanity itself — in hunger, sickness and destitution and whose unspeakable martyrdom is broadcast instantly and daily by the global media.

In the face of the upheavals that shake it and the challenges that call it, humanity has no choice but patiently to repatch the fabric of solidarity and trust. What better arena in which to do so than that in which all the world's children meet every four years under the Olympic banner?

In this regard, I welcome your presence among us, Sir, and pay heartfelt tribute to the International Olympic Committee (IOC) and its President, Mr. Samaranch, for the remarkable efforts he has made to that end. I wish to convey to him the full appreciation of my country for the initiatives that have been undertaken to conclude mutually advantageous cooperation agreements with the organs, organizations, programmes and institutions of the United Nations system, including the United Nations Environment Programme, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the Office of the United Nations High Commissioner for Refugees.

In this respect, my delegation welcomes the initiatives of the IOC on behalf of the refugees of Africa, Asia and Eastern Europe. We were equally delighted by the decision taken several years ago to fly the United Nations flag at all Olympic events.

The Olympic Games have always provided a moment for harmony between peoples and been a symbol of acceptance of diversity and openness to tolerance and fairness. They have provided the unique opportunity for young athletes from different cultures and backgrounds to share their experiences.

It is essential that the Olympic spirit be protected from bad influences and not succumb to temptation. The Olympic flame must indeed preserve its purity and brilliance. In this respect, we are sure that the meeting in Sydney, to be held at the juncture of two millennia and in which more than 190 countries are to participate, will strengthen the Olympic spirit and give new impetus to the great ideals and fundamental principles of friendship, solidarity, understanding and fair play among the peoples of the world.

As far as we are concerned, Algeria has always attached particular importance to the development of sport and the promotion of peace and friendship among peoples, as it has on all occasions defended the Olympic ideal in regional and international competitions, endorsing the ideals of peace and security advocated by Baron Pierre de Coubertin, the founder of the International Olympic Committee, so that the modern Olympics would become a symbol of unity among the nations. It is in that spirit that my delegation has from the very outset supported this initiative and that it is again co-sponsoring draft resolution A/54/L.26.

Algeria was particularly pleased to do this, as the initiative was essentially an African one from the outset. It was the Organization of African Unity (OAU), of which Algeria is currently Chairman, which in 1993, at the request of the African Sport Movement, introduced two draft resolutions, one dealing with the building of a peaceful and better world through sport and the Olympic ideal, and the other with the proclamation of 1994 as the International Year for Sports and the Olympic Ideal, to mark the centenary of the foundation of the International Olympic Committee. Two years later the Assembly of Heads of State and Government of the OAU itself lent all its political moral weight to the appeal for the Olympic Truce.

Africa's interest in the Olympic Movement and its devotion to the values it carries date back to the beginning of this century, when, despite the constraints and restrictions, African athletes, under the flags of the colonial Powers of that time, wrote in gold letters on the Olympic Pantheon the name of a continent which had irreversibly awoken to history. Did not Baron de Coubertin — aware as he was of the immense potential contribution of Africa to the Olympic Movement and the necessity to open up sport as a universal language and a permanent school of life to the colonized people of Africa — advocated unsuccessfully the organization in 1928 of African games at Algiers, which were not held until half a century later in 1978, bringing together the countries of the continent which were finally free. History nevertheless saw that justice was done to the African people, and after their independence, despite the often pathetic sums available to them, they gave the Olympic Movement the universality that it lacked and the breath and the momentum it needed.

Furthermore, Africa, whose sporting exploits are unanimously claimed and celebrated, is proud today of

the presence of illustrious Africans at the head of the three greatest international federations.

May the Olympic spirit prevail and may future Olympic Games provide an opportunity for the human family to rise above its differences and rifts and provide

a time of truce — why not permanently — when it can come to terms with itself once and for all.

The meeting rose at 1.05 p.m.